

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND
NORTHERN DIVISION

UNITED STATES OF AMERICA,)

vs.)

CRIMINAL CASE NO. RDB-21-054

EGHOSASERE AVBORAYE-
IGBINEDION,)

Defendant.)

Monday, June 12, 2023
Courtroom 5D
Baltimore, Maryland

JURY TRIAL - VOLUME II of V

BEFORE: THE HONORABLE RICHARD D. BENNETT, Senior Judge

On Behalf of the United States:

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On Behalf of the Defendant:

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(Computer-aided transcription of stenotype notes)

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P R O C E E D I N G

9:38 a.m.

THE COURT: We're now about to proceed with --
continue with the trial with the presentation of evidence and
testimony.

We need to deal with a preliminary matter here of the
defendant has once again made direct contact with the court
despite my previously having tried to explain to him that it is
not in his interest to be making comments and filing documents
because there's a possibility that sometimes people make
decisions against interest. So the record will reflect that
from this point forward any communication from the defendant to
the court will automatically be made a matter of record and be
placed under seal.

The last missive to the court was received sometime
over the weekend, I think. And this urgent message is to inform
the court that my Sixth Amendment rights have been violated by
refusing to acknowledge that I need additional time to properly
prepare my defense.

Once again, my attorney, Alfred Guillaume, has agreed
privately that due to our lack of preparation together there
isn't enough time to gather certain things, but has been
reluctant to notify the courts publicly. His only reason as to
why he has refused to fulfill any request of asking for
additional time due to us not having significant amount of time

1 where we went through the evidence in order to prepare, is that
2 Judge Bennett will not postpone the trial no matter what. Due
3 to my attorney's failure to inform the courts that there isn't
4 enough time to subpoena certain records and admit the evidence
5 into the trial is why I repeatedly ask for my new counsel.

6 This entire document is as well, a chain; I think this
7 is a chain of emails; is that right? This will be made a matter
8 of record, Court Exhibit No. 1.

9 Mr. Gurevich, if you'll take that, that will be made a
10 matter of the record. Just so we keep a record of this from
11 this point forward as far as Mr. Igbinedion and my direct
12 communications. He's now been advised that each communication
13 will be placed under seal to be made part of the record. And in
14 the event that the jury were to convict him on any of these
15 charges in this case, he certainly can raise that on appeal to
16 the United States Court of Appeals for the federal court
17 circuit.

18 It must be stated on the record here that on Friday
19 afternoon that additional correspondence from the defendant was
20 received. These letters were not signed by a member of the bar
21 as required by local rule 102, nor did they contain an original
22 signature.

23 while prior correspondence has been returned to the
24 defendant for such deficiency, the court docketed this letter
25 submission under seal, and I believe it's now Paper Number 237,

1 and I think a brief procedural history here is necessary.

2 On Thursday, June 1, 2023, Mr. Igbinedion -- Mr.
3 Guillaume, the defendant's third appointed defense counsel, the
4 third appointed lawyer for Mr. Igbinedion, wrote this court to
5 provide an update, quote, "About the status of the
6 attorney-client relationship between Mr. Guillaume and Mr.
7 Igbinedion." That's Paper Number 221.

8 Defense counsel, Mr. Guillaume, represented that Mr.
9 Igbinedion had asked him to inform the court that he no longer
10 wanted him to be his attorney and that he had hired another
11 lawyer that would represent him at trial. It is important to
12 note that that was literally the first time of a problem. And
13 it doesn't escape the attention of the Court that it was
14 literally on the eve of trial, and the record should so reflect
15 for any appellate review.

16 On Friday, June 2, 2023, just five days before the
17 trial was set to begin in this matter, which was set to start
18 Wednesday, June 7th, Mr. Igbinedion wrote this Court to state
19 that he no longer wanted to be represented by Mr. Guillaume, his
20 third court-appointed lawyer, or any other court-appointed
21 lawyer, and essentially, as he is apparently now, once again,
22 claiming that he has time to retain counsel.

23 The record will reflect that no one has come forward
24 with any attorney who has indicated any willingness to represent
25 him in any way, shape, or form has been represented to this

1 Court as we speak this morning.

2 On Monday, June 5, an attorney inquiry hearing was
3 held before U.S. Magistrate Judge J. Mark Coulson, and Judge
4 Coulson determined that Mr. Guillaume would remain as
5 court-appointed counsel in this case. That's reflected by Paper
6 Number 229.

7 During this hearing Judge Coulson informed Mr.
8 Igbinedion if he would like to hire private counsel at his own
9 choosing, he remained free to do so. Again, this is now --
10 today is now Monday, June the 12th, one week later, and
11 absolutely no one has come forward indicating any desire to help
12 represent Mr. Igbinedion who has previously, by the way,
13 submitted financial information to the Court to entitle himself
14 to a court-appointed lawyer.

15 Later that same day, on Monday June 5, this court held
16 a telephone conference with government and defense counsel
17 during which it was again communicated that if Mr. Igbinedion
18 would like to hire private counsel of his own choosing, he
19 remained free to do so.

20 This Court further communicated that if he did, in
21 fact, retain private counsel prior to trial Mr. Guillaume would
22 remain as standby counsel for the duration of the trial. During
23 that same telephone conference this court informed the counsel
24 for the defendant that we would postpone, make certain
25 postponements as to last week and the trial would not begin on

1 Wednesday, June the 7th, but that we would have jury selection
2 on Thursday, June the 8th, with opening statements to follow on
3 Friday, June 9. That was all done just so as to allow Mr.
4 Igbinedion time to go over matters with Mr. Guillaume. A room
5 was prepared here at the courthouse to continue to go over
6 documents for trial preparation and we adjusted the calendar
7 accordingly.

8 At 9:30 a.m. on June the 8th, the parties convened
9 before this court to begin trial. And when addressing last
10 minute pretrial issues Mr. Guillaume informed the court that
11 based on recent representations from his client it was his
12 belief that there was possible rebuttal evidence that defendant
13 would not be able to obtain prior to trial. This Court
14 construed this as a motion for postponement which it denied on
15 the record.

16 Later that morning jury selection began in this
17 matter. And during voir dire and precautions that were taken in
18 the face of the COVID-19 pandemic, a prospective juror, who was
19 in fact Juror No. 393 on the jury panel during individualized
20 voir dire at the bench. Juror No. 393 indicated -- I believe it
21 was Juror No. 393 was it not, I believe. I'm looking here.
22 Hold on one second. Just trying to have a complete record here
23 in the event that there is a conviction for federal court
24 circuit review.

25 Yes, Juror No. 393 from the panel selection report

1 before the court here indicated that there had been some
2 comments made in her direction, or certainly that she overheard,
3 that a woman seated in the vestibule near the juries discussing
4 the defendant's innocence as she and other members of jury pool
5 were actually in the courtroom.

6 The Court asked the juror if she would be comfortable
7 identifying the woman to a court security officer. It was
8 thereafter discovered that the woman addressing the defendant's
9 alleged innocence, and there is a presumption of innocence in
10 this case without question, but there's no permission for people
11 to be near jurors and in any way try to influence jurors. It
12 turned out it was a relative of the defendant and the woman was
13 asked to leave the courthouse apparently, by court personnel.

14 I don't hold that against Mr. Igbinedion. I don't in
15 any way indicate that he was the reason for that kind of
16 comment, but there was certainly slight disruption to jury
17 selection. Thereafter, we had to ask each individual person who
18 came before the court if they had heard anything out in the
19 hallway or comments by other people and the answers were
20 negative from that point forward as to other jurors.

21 And I reminded Mr. Igbinedion that this is an open
22 proceeding and his friends and family are welcome to attend the
23 trial, but such conversations are impermissible in the presence
24 of the jury.

25 In his most recent correspondence to the court, Mr.

1 Igbinedion states there isn't enough time to be able to gather
2 specific evidence as to cell tower locations, job records, et
3 cetera, that completely contradict the prosecution's argument.
4 He further notes that there was a mutual understanding between
5 him and his attorney that I speak of, that I speak of will
6 support any defense, et cetera, et cetera, as noted by the
7 submission on the record this morning.

8 Obviously, whether to grant a motion to continue is
9 within the broad discretion of this court. The simple fact of
10 the matter is, is that we have changed lawyers three different
11 times. We've had three different court-appointed lawyers for
12 Mr. Igbinedion. And it doesn't escape my attention that
13 literally on the eve of trial he asked for a fourth lawyer.
14 Doesn't escape my attention that he's represented that he
15 desires to retain a lawyer and no lawyer has come forward in any
16 way shape or form indicating the desire or intention to
17 represent Mr. Igbinedion. And I've taken the precautions to
18 allow more time last week, we've delayed the start of the trial,
19 I've made sure court-appointed counsel is here continuing to
20 represent him.

21 He's had an attorney inquiry hearing before a
22 magistrate judge of this court, and clearly, as the Supreme
23 Court stated in Morris versus Slappy, S-l-a-p-p-y, at 461 U.S. 1
24 in 1983, the denial of a motion it continues will only be found
25 to be an abuse of discretion when there's merely an arbitrary

1 assistance upon trial.

2 That's hardly the case here. There's been absolutely
3 no indication of any problem at all until the eve of trial, and
4 suddenly these issues are raised. And the Fourth Circuit has
5 long been in accord with respect to that process, with respect
6 to whether or not to grant a continuance. As noted by the
7 Fourth Circuit in United States versus Chavez, 894 F.3d 593, in
8 which certiori was denied by the Supreme Court in 2018.

9 United States versus William, 445 F.3d 724, Federal
10 Court Circuit opinion in which certiori was denied by the
11 Supreme Court in 2006.

12 We're ready to proceed in this matter. We've taken
13 very careful time with regard to jury selection. There is
14 racial diversity. Jurors 1, 2, 3 are African-American and the
15 defendant here is of color. We've given him a delay to prepare
16 for trial. We've responded to his representations of retaining
17 counsel by waiting over a week to see if anyone else was going
18 to come forward. We've taken the precaution with respect to
19 making sure court-appointed counsel would remain in the case and
20 to assist Mr. Igbinedion if he desires to have another lawyer
21 come forward.

22 We're moving forward. This court simply cannot
23 function by appointing not one, not two, not three, but then
24 four court-appointed lawyers to represent him and postponing a
25 case, literally on the eve of trial with late representation.

1 So the motion to continue will be denied.

2 Any and all correspondence from Mr. Igbinedion to the
3 court will be filed under seal so that there's no public
4 dissemination that would be prejudicial to him and we will
5 proceed with trial.

6 Anything further with government counsel before we
7 start with witness testimony?

8 MR. DELANEY: No. Thank you, Your Honor.

9 THE COURT: Thank you. Mr. Guillaume, anything
10 further from your point of view, sir?

11 MR. GUILLAUME: One thing I want to make sure, I think
12 the correspondence -- I don't disagree with the procedural
13 history you just noted was sent prior to our -- our attorney
14 inquiry hearing.

15 THE COURT: I'm sorry.

16 MR. GUILLAUME: I think for correspondence, which you
17 just referenced, the letter that you put under seal sent to my
18 client, that was prior to the attorney inquiry hearing. I think
19 the court may have received it late.

20 THE COURT: I have no idea. I mean, literally every
21 time we open the box there's a communication from him, and we're
22 not gonna continue to go this path. We're moving forward with
23 the trial and this court just can't function in these
24 last-minute histrionics. So with that, we're moving forward.

25 Thank you, Mr. Guillaume. And thank you for acting as

1 court-appointed counsel in this case. And as I said before,
2 you're held in high regard for this court and you're now his
3 third court-appointed lawyer. And we will go forward in doing
4 everything we can to make sure we have a very fair, balanced
5 trial in fairness to the defendant. So with that, thank you
6 very much.

7 All right. Mr. Delaney, with that, we're ready to
8 bring the jury. And by the way, do you have a witness list? Do
9 you have an order of witnesses in terms of what number -- which
10 number they're going to be called?

11 MS. GOO: Your Honor, we have the list in alphabetical
12 order. In terms of order in which they're going to be called,
13 we have given defense counsel notice as to who is going to be
14 called today. And we will do the same thing at the end of today
15 for tomorrow and --

16 THE COURT: That's fine. And who are the witnesses
17 you're going to be calling today?

18 MS. GOO: For today it is Reid Hanson, which is a
19 video deposition.

20 THE COURT: Hold on one second, I've got to just
21 highlight these. Just a minute.

22 MS. GOO: Yes.

23 THE COURT: It would be helpful as well if I get this,
24 Ms. Goo.

25 MS. GOO: And Your Honor, I have two copies for the

1 Court.

2 THE COURT: Thank you very much. You have an extra
3 copy for the Court.

4 MS. GOO: If I may approach.

5 THE COURT: Yes. Thank you. Thank you very much.
6 And this is the order -- no, I already have the government
7 witness list, I have this. I'm looking for the witnesses being
8 called today and in what order they're going to be called today.

9 MS. GOO: Yes, Your Honor. I can give you the order
10 specifically for today.

11 THE COURT: Okay. That's fine. That's fine.

12 MS. GOO: Yes.

13 THE COURT: Reid Hanson is going to be the first
14 witness.

15 MS. GOO: Reid Hanson.

16 THE COURT: Hold on one second, please. Okay.

17 MS. GOO: David Green.

18 THE COURT: David Green, one. Number two?

19 MS. GOO: Mary Beitman.

20 THE COURT: One second please. Wait a minute. That
21 will be witness number 3.

22 MS. GOO: Levensky Lambert.

23 THE COURT: That'll be witness number four.

24 MS. GOO: And if there's additional time, McArnold
25 Charlemagne.

1 THE COURT: Okay. With that, we're ready to go.

2 MS. GOO: Thank you.

3 THE COURT: So we'll bring the jury in and then we
4 will have Mr. Reid Hanson come forward. Thank you.

5 There will be sequestration under Rule 615 with the
6 exception of the case agent. And obviously those persons here
7 from the defendant's family are welcome to be here, but that
8 means they will not be -- stand up, please, Mr. Igbinedion.

9 with respect to the family members who are here,
10 they're welcome, but because there's a sequestration of
11 witnesses it means they cannot testify if they sit here in
12 court, but they're welcome to be here.

13 So, Mr. Guillaume, just act accordingly, so he
14 understands that if anybody is in the courtroom. So with that,
15 we'll bring the jury in now.

16 MR. GUILLAUME: Yes, sir.

17 (Jury entered the courtroom at 9:55 a.m.)

18 THE COURT: Good morning, everybody. I hope you all
19 had a nice weekend, and I'm sorry to keep you waiting. We had
20 some preliminary matters that we needed to address, and we've
21 addressed those now and I apologize. That's why I'm trying to
22 be sure that we're here ahead of you. And we're about to begin
23 with witness testimony.

24 Mr. Gurevich, it occurred to me that we do everything
25 we can to avoid bench conferences because of all the protection

1 here for COVID, but it might be advisable that we have -- in
2 case we have any bench conferences, and I hope we don't, that
3 Mr. Igbinedion has a headset so he can hear what's going on up
4 here if that occasion were to arise.

5 Sometimes we have you -- in the court we put on what's
6 called a noise machine which is a little bit of an irritant. So
7 it's actually better that you don't hear that noise machine
8 going so that's why we try to do as much as we can ahead of
9 time. So thank you, Mr. Gurevich.

10 MS. GOO: The first witness for the Government is
11 Mr. Reid Hanson. And for the record, Mr. Reid Hanson was
12 deposed by video pursuant to Rule 15. So we will --

13 THE COURT: So it's a video deposition. And
14 consistent with earlier -- consistent with earlier rulings of
15 this court, and any objection to that has been preserved for the
16 record, Mr. Guillaume, as a matter of -- on the record it's been
17 preserved.

18 MR. GUILLAUME: Thank you, Your Honor.

19 MS. GOO: And Your Honor, if I may, the deposition
20 video itself is Exhibit 1. The deposition transcript for
21 Mr. Hanson is Exhibit 1A. If we may publish that to the members
22 of the jury.

23 THE COURT: Hold on one second. Government Exhibit 1
24 is the video itself?

25 MS. GOO: Correct.

1 THE COURT: And Government with Exhibit 1A is the
2 transcript with what the Government believes is a transcript of
3 that video?

4 MS. GOO: Yes, Your Honor.

5 THE COURT: All right. Well, Government Exhibit 1
6 will be admitted into evidence. Government Exhibit 1A is marked
7 for identification only, as we do with any other transcripts.
8 It's what the government believes is stated that the jurors
9 hearing something else, that's their determination.

10 So the jury can see Government 1A, but it's for
11 identification only. And Government Exhibit 1, the video
12 itself, will come into evidence. And if during deliberations
13 the jury wanted to see it again, they could come into the
14 courtroom and see it again, Mr. Gurevich, is how we would handle
15 that.

16 THE CLERK: Yes, Your Honor.

17 THE COURT: So with that, you may hand out Government
18 Exhibit 1A for identification only.

19 MS. GOO: Thank you, Your Honor. And if we may
20 proceed.

21 THE COURT: You may proceed, Ms. Goo. Thank you.

22 MS. GOO: Thank you.

23 (Video deposition of REID HANSON was played.)

24 THE COURT: Thank you, Ms. Goo. Again, the video is
25 now in evidence and we'll receive the transcripts that were

1 marked for identification only.

2 MS. GOO: If I may just briefly, there were a number
3 of exhibits mentioned in the video.

4 THE COURT: Clarify which ones of those will come into
5 evidence.

6 MS. GOO: The Government does formally admit V-1, 2 --

7 THE COURT: V like victory?

8 MR. DELANEY: V, victory, yes.

9 THE COURT: Just reference those first before we go
10 into which ones they are. V-1.

11 MS. GOO: V-2.

12 THE COURT: V-2, the UPS receipt?

13 MS. GOO: Yes.

14 THE COURT: Then V-3A?

15 MS. GOO: Yes.

16 THE COURT: And that is the cash withdrawal form?

17 MS. GOO: Yes, Your Honor.

18 THE COURT: And then V-3B is the bank statement?

19 MS. GOO: Yes, Your Honor.

20 THE COURT: And then V-4 is the UPS receipt.

21 MS. GOO: Yes, Your Honor.

22 THE COURT: Looking at the list here. Any other
23 documents coming in with this?

24 MS. GOO: Your Honor, I believe that's it.

25 THE COURT: Okay. Not V-6 bank records.

1 MS. GOO: Those are additional witnesses.

2 THE COURT: Okay. Fine. Any objection? Apart from
3 any other objections that have been reserved on the record, Mr.
4 Guillaume, any objection to the admission of those exhibits?

5 MR. GUILLAUME: No, Your Honor.

6 THE COURT: They'll be so admitted. So the video
7 itself is admitted, Exhibit 1, and Exhibits V, like in victory,
8 V-1, V-2, V-3A, V-3B and V-4. The documents that were
9 referenced there will be admitted into evidence as well and
10 you'll have those back in the jury room as well.

11 Thank you very much, Ms. Goo.

12 MS. GOO: I'll obtain the transcripts now, Your Honor.

13 THE COURT: If you'll collect the transcripts. Thank
14 you very much, Ms. Goo.

15 Next witness.

16 MR. DELANEY: Next witness. The Government calls
17 David Green.

18 THE COURT: By the way, ladies and gentlemen, as in
19 all cases, there's a sequestration order. It's one of the ways
20 this isn't like on television. The witnesses -- so they don't
21 all sit and listen to the other witnesses, they stay out in the
22 vestibule area, both for the government and the defendant, and
23 then they're brought in one at a time.

24 Thank you very much. If you'll come forward here,
25 Mr. Green, to be sworn.

1 THE CLERK: Just remain standing and raise your right
2 hand for me, please.

3 (DAVID GREEN, duly sworn.)

4 THE CLERK: And while speaking clearly into the
5 microphone, can you please state your full name and spell your
6 last name.

7 THE WITNESS: David Green. Last name G-r-e-e-n.

8 THE CLERK: Thank you.

9 DIRECT EXAMINATION

10 BY MR. DELANEY:

11 Q. Good morning, sir. You've already told us your name;
12 can you tell the members of the jury where you from?

13 A. Florida. Miami, Florida.

14 Q. Born and raised?

15 A. Yes.

16 Q. I'd like to put up on the screen what's been marked as
17 Government's Exhibit No. 10.

18 MR. DELANEY: Court's indulgence, briefly.

19 BY MR. DELANEY:

20 Q. I'd like to draw your attention specifically to
21 paragraph 1 -- well, actually, first off, what are we looking at
22 here?

23 A. Sealed Supplement via a plea agreement.

24 Q. This is a copy of your plea agreement?

25 A. Yes.

1 Q. Okay. And on page 1 of Government's Exhibit No. 10,
2 I'd like for you to read paragraph 1.

3 A. The Defendant agrees to plead guilty to Count One of
4 the Indictment, which charges the Defendant with conspiracy to
5 commit mail fraud, in violation of 18 U.S.C. 1349. The
6 Defendant admits that the Defendant is, in fact, guilty of the
7 offense or offenses and will so advise the Court.

8 Q. I'd like to move forward to page 11 of this document,
9 Government's Exhibit No. 1. Do you recognize your signature on
10 that page?

11 A. Yes, I do.

12 Q. Okay. Now, skipping forward to page 12. Do you
13 recognize this as a Sealed Supplement to your plea agreement?

14 A. Yes, I do.

15 Q. Okay. What do you understand this to be?

16 A. My plea agreement for me to provide truthful
17 information.

18 Q. Let's go ahead and read it. Reading paragraph 1 and
19 1A for us. Can you go ahead and read this for us?

20 A. The Defendant agrees to cooperate with this Office on
21 the following terms and conditions:

22 The Defendant shall fully and truthfully respond to
23 all questions put to the Defendant by federal law enforcement
24 authorities and other designated law enforcement officers. The
25 Defendant shall fully and truthfully disclose to the Government

1 all information with respect to the Defendant's activities and
2 the activities of others concerning all matters as to which the
3 Government may inquire.

4 Q. And we can stop there. And turn to the next page.

5 Paragraph D up at the top of this page of Government's
6 Exhibit 10. Can you read that?

7 A. The Defendant shall testify fully and truthfully
8 before grand juries and at any trial and other court proceeding
9 with respect to any matters about which this office may require
10 the Defendant's testimony.

11 Q. Okay. And now, under Immunity, paragraph 2, I'll go
12 ahead and read and you tell me if I read it accurately.

13 In order to permit the Defendant to make disclosures
14 to the Government under this agreement, any information and
15 documents that the Defendant fully and truthfully discloses to
16 the Government, during the course of cooperation, pursuant to
17 this Agreement, will not be used against the defendant, directly
18 or indirectly, by this Office in any federal criminal case
19 except as set forth below.

20 what do you understand this to mean?

21 A. That I have to be truthful and that anything that I
22 say can't be used against me for, like, any other charges.

23 Q. Okay. And now moving forward below, under Obligations
24 of the United States Attorney's Office, tell me if I'm reading
25 this portion accurately.

1 If we can highlight three and four, Mr. Kerrigan.
2 Thank you very much. Sorry.

3 If the Defendant fully complies with all of the terms
4 of this agreement and this Sealed Supplement, then in connection
5 with the Defendant's sentencing, this office will inform the
6 Probation Office and the Court of the nature and extent of the
7 Defendant's cooperation; and all other information with respect
8 to the Defendant's background, character, and conduct which this
9 office deems relevant to sentencing, including the conduct that
10 is the subject of any counts of the indictment that this office
11 has agreed to dismiss at sentencing.

12 If this office determines that the defendant has
13 provided substantial assistance in an investigation or
14 prosecution of others, and if the Defendant has fully complied
15 with all obligations under this agreement, and this Sealed
16 Supplement, this office may make a motion, pursuant to USSG
17 Section 5K1.1 and/or 18 U.S.C. section 3353(e), if appropriate,
18 requesting if the Court --

19 And then it continues on the next page. If we can
20 highlight just the first few lines.

21 -- sentence the Defendant in light of the advisory
22 factors set forth in Section 5K1.1(a)(1) through (5), and
23 requesting a downward departure.

24 And then if we can skip forward to Remedies and
25 Breaches and highlight up to 6-2.

1 First off, sir, did I read that accurately?

2 A. Yes.

3 Q. And if you can read for us paragraph 6.

4 A. The Defendant will be in breach of this sealed
5 supplement if any of the following occurs:

6 If the Defendant commits any further crimes, if the
7 Defendant has knowingly withheld information, given false,
8 incomplete, or misleading testimony or information, falsely
9 implicated an innocent person in the commission of a crime,
10 exaggerate the involvement of any person in the commission of a
11 crime in order to appear cooperative, or falsely minimize the
12 involvement of any person, including the defendant, in the
13 commission of a crime.

14 Q. And if we can go ahead and skip forward two more
15 pages. Yep.

16 Do you recognize your signature on this document?

17 A. Yes, I do.

18 Q. Okay. Why don't you go ahead and tell the members of
19 the jury, what is your understanding of what you get out of your
20 testimony here today? What's your deal with the Government?

21 A. That my -- me cooperating would just be considered.
22 There's nothing promised.

23 Q. Can you pull the microphone a little bit closer? It's
24 a little hard to hear.

25 A. That my cooperation will be considered but nothing was

1 promised to me.

2 Q. And when will that cooperation be considered?

3 A. After this -- or during my sentencing.

4 Q. And who is it that makes the ultimate determination of
5 whether or not you have cooperated to get some benefit?

6 A. The judge.

7 Q. And if you are not truthful in your testimony today,
8 what is your understanding of your deal with the government?

9 A. I'd be -- it would be considered a breach.

10 Q. Okay. Now that we've been through all of that, can
11 you go ahead and tell the members of the jury, in your own
12 words, what your crime was?

13 A. It was the charge of conspiracy to commit mail fraud,
14 and it was a scheme to defraud elderly people.

15 Q. And what did you do?

16 A. I picked up packages containing money.

17 Q. And did you work with others to do so?

18 A. Yes.

19 Q. Okay. Prior to getting involved in this crime, where
20 were you working?

21 A. I was doing event security.

22 Q. And how did that job pay?

23 A. Not very well.

24 Q. Where were you living?

25 A. At the time she was my girlfriend, but currently the

1 mother of my son.

2 Q. Okay. Do you recall approximately when you got
3 involved in this crime?

4 A. Maybe August 2018.

5 Q. Okay. And how did you get involved in this crime?

6 A. I don't -- I don't understand.

7 Q. Tell us how you got involved. Tell us how you became
8 a member of the conspiracy to which you pleaded guilty.

9 A. Okay. It started with me loaning money to Eghosa.
10 And when it became time for me to collect the money, I was
11 offered an opportunity by Eghosa to collect packages to make the
12 money back, and then some.

13 Q. You used the name Eghosa. Does the individual have a
14 full name, do you know?

15 A. Yes.

16 Q. Can you tell it to us?

17 A. Eghosa Avboraye.

18 Q. And do you recognize him in the courtroom?

19 A. Yes.

20 Q. Can you let us know either by where he's sitting or
21 what he's wearing, can you identify him?

22 A. Yes. He's right here.

23 MR. DELANEY: Let the record reflect that defendant
24 has -- the witness has pointed to the defendant.

25 THE COURT: The record will reflect that the witness

1 has identified the defendant, Mr. Igbinedion.

2 BY MR. DELANEY:

3 Q. Now, I think, and let me know if I got this wrong, you
4 referred to him as Eghosa?

5 A. Yes.

6 Q. That's what you called him?

7 A. Yes.

8 Q. Okay. And did you know him by any other nicknames?

9 A. Ghose.

10 Q. Okay. Anything else?

11 A. Or people called him Ego.

12 Q. How long did you know Eghosa?

13 A. Since childhood.

14 Q. Okay. Did you guys grow up together?

15 A. Yes.

16 Q. Where did you live?

17 A. Miramar, Florida.

18 Q. How close did you live?

19 A. Relatively close. Two streets away.

20 Q. Do you remember the street names?

21 A. I lived on Arcadia and he lived on Acapulco.

22 Q. When you first spoke to investigators, prior to
23 pleading guilty in this case, were you completely truthful about
24 Eghosa's involvement in the scheme?

25 A. No.

1 Q. How so?

2 A. I minimized his role.

3 Q. How did you do that?

4 A. By leaving him out of how I got involved in the first
5 place.

6 Q. Okay. Did you indicate to investigators that he was
7 involved?

8 A. Excuse me?

9 Q. Did you -- did you tell investigators that he was
10 involved in the scheme at all?

11 A. Yes.

12 Q. Why did you minimize his involvement at the beginning
13 of the scheme?

14 A. I was protecting someone I considered a friend. Or
15 trying to.

16 Q. You testified previously that someone had loaned you
17 money and that precipitated your involvement in this scheme; is
18 that right?

19 A. Yes.

20 Q. Or I'm sorry, was it someone had loaned you money or
21 you loaned --

22 A. I loaned someone money.

23 Q. Okay. Can you tell us what happened?

24 A. As far as?

25 Q. Who did you loan money to?

1 A. Eghosa.

2 Q. How much?

3 A. \$700.

4 Q. And did he pay you back promptly?

5 A. No.

6 Q. what happened?

7 A. when it came time, when I was asking for the money
8 back, I was then offered the opportunity to make the money back
9 and then some.

10 Q. who offered the opportunity to you?

11 A. Eghosa.

12 Q. And what was the opportunity?

13 A. To pick up packages.

14 Q. And where would you be picking up packages?

15 A. well, it started in Florida.

16 Q. Okay. Were you asked to give addresses for the
17 packages to be delivered?

18 MR. GUILLAUME: Objection.

19 THE COURT: Overruled.

20 THE WITNESS: Yes.

21 BY MR. DELANEY:

22 Q. who asked you to do so?

23 A. Eghosa.

24 Q. were you told what was in the packages?

25 A. No.

1 Q. Did you ask?

2 A. No.

3 Q. why not?

4 A. Because I knew it wasn't completely above board.

5 Q. Did you provide addresses?

6 A. Yes.

7 Q. To whom did you provide them?

8 A. Excuse me?

9 Q. who did you give them to?

10 A. Eghosa.

11 Q. And what addresses did you give him?

12 A. My grandmother's and the two surroundings neighbors.

13 Q. Can you tell us what your grandmother's address is?

14 A. [REDACTED], Miami Gardens, Florida.

15 Q. And you said you also gave the two neighboring
16 addresses?

17 A. Yes.

18 Q. why did you give those addresses?

19 A. Because both of them were deceased recently and the
20 houses were empty.

21 Q. why would empty -- why did you choose empty houses
22 with deceased residents?

23 A. So it would be convincing enough for the delivery
24 driver to drop off the packages.

25 Q. After you provided the addresses what happened next?

1 A. I was then told when the packages would arrive.

2 Q. Who told you this?

3 A. Eghosa.

4 Q. What specifically were you told?

5 A. That it would be coming -- the packages would be
6 delivered to my neighbor's house.

7 Q. What about the other two addresses?

8 A. It hadn't worked out.

9 Q. Were you told to whom the packages would be addressed?

10 A. I don't remember.

11 Q. Okay. Did Eghosa tell you what you had to do when the
12 packages arrived?

13 A. Yes.

14 Q. And what did he tell you?

15 A. To not open them and to let him know when they were --
16 when it arrived.

17 Q. Were you told when they would arrive?

18 A. Yes.

19 Q. How close in time was it to -- how close in time was
20 the delivery time to when you were told it would be delivered?

21 A. A day.

22 Q. Can you tell us about that package delivery?

23 A. As in when it was like the --

24 Q. What happened on the day of delivery?

25 A. The delivery driver -- I was sitting on my porch.

1 Q. On whose porch?

2 A. My grandmother's porch.

3 Q. Was that the porch where the package would be
4 delivered?

5 A. No.

6 Q. Why did you sit on your grandmother's porch?

7 A. To just to avoid, like, trespassing that way.

8 Q. Okay. Okay. What happened?

9 A. The delivery driver came, left the package on the
10 porch. When he left, I walked over and then took the package
11 off of the porch.

12 Q. Okay. What did you do next?

13 A. Then I called Eghosa to let him know that I had gotten
14 the package.

15 Q. And what, if anything, did he say?

16 A. I -- I don't remember honestly.

17 Q. Okay. So after you called Eghosa to tell him that you
18 had retrieved the package, what happened next?

19 A. I had received a phone call from somebody named Zo.

20 Q. Had you ever met Zo before?

21 A. No.

22 Q. Over time did you come to learn Zo's full name?

23 A. Yes.

24 Q. What is it?

25 A. Charlemagne.

1 Q. Charlemagne?

2 A. Yes.

3 Q. Did you know whether that was his first or last name?

4 A. No.

5 Q. Okay. When Zo called you can you describe for us the
6 conversation?

7 A. Zo asked me if the package had arrived. I had told
8 him yes, and then he said he'd come over.

9 Q. And what happened next?

10 A. He arrived at my grandmother's house and then -- he
11 then made a phone call.

12 Q. Did you learn who he called?

13 A. Eventually, yes, I did.

14 Q. And what was the name of the person he called?

15 A. Jay.

16 Q. Jay?

17 A. Yes.

18 Q. Did you ever learn Jay's full name?

19 A. No.

20 Q. I'd like to put up on the screen what's been marked as
21 Government's Exhibit No. 11. Do you recognize this individual?

22 A. Yes.

23 Q. Who do you recognize this to be?

24 A. Jay.

25 Q. Okay. So what happened next?

1 A. After that phone call Zo had left and told me that Jay
2 would come pick up the package.

3 Q. And what happened after that?

4 A. About after the sun had went down, nighttime, Jay had
5 arrived at my grandmother's house.

6 Q. How did you know he arrived?

7 A. He had called me.

8 Q. Okay. And what happened when he arrived?

9 A. I went outside with the package and then got inside
10 his vehicle.

11 Q. What was his vehicle?

12 A. A Range Rover.

13 Q. What happened when you got inside his vehicle?

14 A. I handed him the package and then he handed me \$50.

15 Q. Okay. Was that how much money you expected to receive
16 that day?

17 A. No.

18 Q. What did you text to receive that day?

19 A. \$100.

20 Q. Okay. Did you question him?

21 A. No.

22 Q. Why not?

23 A. Because I kind of just didn't want to make him mad or
24 anything or --

25 Q. Okay. After -- after you gave him the package did you

1 have any further conversations with him, that you can remember?

2 A. Not that I can remember, no.

3 Q. Okay. As time went on did you have further
4 conversations about picking up packages? Yes?

5 A. Yes.

6 Q. With whom?

7 A. I'm drawing a blank. I don't remember now, sorry.

8 Q. Just got to remind you to keep your voice up. You're
9 trailing off a little bit, so I want to make sure that everybody
10 with hear you, okay?

11 A. Okay.

12 Q. Did you speak with Eghosa after this day about picking
13 up more packages?

14 A. Yes.

15 Q. Tell us what you discussed.

16 A. That we -- we would pick up packages in other -- in
17 another state.

18 Q. Okay. And how would that work? How would you get to
19 other states?

20 A. Oh, well, I eventually -- about a day or two later I
21 was asked by Eghosa to send a picture of my ID.

22 Q. To whom?

23 A. To him. To Eghosa.

24 Q. And then what happened?

25 A. And then we, now we, but I later found out that a

1 flight was booked to Baltimore.

2 Q. Do you know who booked that flight?

3 A. Not really, no.

4 Q. Did you talk with Eghosa about why you were going to
5 fly somewhere?

6 A. Yes.

7 Q. What, if anything, did he tell you?

8 A. That we'd be picking up packages in Baltimore.

9 Q. Did you agree to take a trip to Baltimore to pick up
10 packages?

11 A. Yes.

12 Q. Okay. Did you learn from your experience why you
13 needed to go to Baltimore to do this? Why you couldn't do it in
14 Florida?

15 A. Yes, I had my -- I had my own -- I had reasons why,
16 yes.

17 Q. What reasons were those?

18 A. Well, being from Florida, a lot of those -- things
19 like that kind of are difficult to do.

20 Q. It's difficult to do in Florida?

21 A. Yes.

22 Q. Why is it difficult to do in Florida?

23 MR. GUILLAUME: Objection. Relevance.

24 THE COURT: Sustained. Sustained.

25 BY MR. DELANEY:

1 Q. Putting up on the screen what's been marked as
2 Government's Exhibit 12. Do you recognize this?

3 A. Yes.

4 Q. What is it?

5 A. A flight record.

6 Q. And if we can just put the first two boxes, blow those
7 up for us to look at. What is the date of this flight?

8 A. September 17 -- September 17th, 2018.

9 Q. Looking down at the bottom, under the box that says
10 flight information and date, can you read that for us?

11 A. The 18th of September 2018.

12 Q. And the departure?

13 A. Miami.

14 Q. And arrive?

15 A. BWI.

16 Q. Okay. And who are the passengers on this flight?

17 A. Me and Eghosa.

18 Q. Do you remember that flight?

19 A. Yes.

20 Q. Okay. What happened when you arrived at BWI?

21 A. Eghosa made a phone call.

22 Q. Do you know who he called?

23 A. Not initially.

24 Q. Did you learn who he called?

25 A. Yes.

1 Q. who did he call?

2 A. Jay.

3 Q. A what happened next?

4 A. I was informed that we won't be going to Baltimore,
5 we'd be going to Washington, D.C. instead.

6 Q. who informed you of that?

7 A. Eghosa.

8 Q. Okay. And then what happened?

9 A. We got into an Uber and is went to an Airbnb in
10 Washington, D.C.

11 Q. Putting up on the screen what's been marked as
12 Government's Exhibit 13. Do you recognize this?

13 A. Yes.

14 Q. And what do you recognize it to be?

15 A. The Airbnb that we arrived to in D.C.

16 Q. Approximately how long did you stay at this location?

17 A. Maybe three days to a week.

18 Q. Okay. So you testified that you and Eghosa took an
19 Uber to this location?

20 A. Yes.

21 Q. And was anyone there when you arrived?

22 A. Yes.

23 Q. who?

24 A. A young lady by the name of Amaya and another young
25 man by the name of Keion.

1 Q. Do you remember either of their last names?

2 A. Amaya's last name was English and Keion's last name
3 was Smith.

4 Q. Okay. And was anyone else there?

5 A. No.

6 Q. Did anyone else arrive during your time there?

7 A. Yes.

8 Q. Who?

9 A. Jay.

10 Q. Okay. Can you tell us what happened after you arrived
11 at the Airbnb?

12 A. Jay came and picked up me and Eghosa and then we just
13 went to get something to eat.

14 Q. Okay. Who paid?

15 A. I can't remember, it was either Eghosa or Jay.

16 Q. Okay. Then what happened?

17 A. Jay then drove me and Eghosa back to the Airbnb.

18 Q. Okay.

19 A. And then we were informed that we have to wake up
20 early in the morning.

21 Q. Who informed you of this?

22 A. Amaya.

23 Q. Okay. So did you, in fact, go to bed?

24 A. Yeah. Well --

25 Q. What happened the next morning?

1 A. We woke up pretty early in the morning, and then we
2 were -- me and Eghosa were dropped off by Amaya to the addresses
3 where packages would be picked up at. would be delivered to.

4 Q. Were you given information about the delivery?

5 A. Information as in?

6 Q. Did you know when the packages were supposed to
7 arrive?

8 A. When?

9 Q. Yeah.

10 A. No.

11 Q. Okay. Had you ever been to Baltimore before?

12 A. No.

13 Q. Did you know where you were?

14 A. No.

15 Q. Okay. Going to put up on the screen what's been
16 marked as Government's Exhibit 15. Do you recognize -- if we
17 can blow up the phone numbers -- do you recognize the phone
18 numbers on this?

19 A. Yes.

20 Q. whose phone numbers are they?

21 A. One is my son's mother's phone number, and the other
22 one is mine.

23 Q. That's your phone number?

24 A. well, yeah.

25 Q. what's your son's mother's name?

1 A. Tequila but it says Teki, which is her nickname.

2 Q. Teki? Okay. If we can move to page 2.

3 Drawing your attention to -- direct your attention to
4 the bottom of the screen. If you can -- do you see, you have a
5 text there at 9:18 p.m. UTC time?

6 A. Yes.

7 Q. Can you read it to us?

8 A. It says: She good. Me and Ghost on this one and it's
9 taking some damn long.

10 Q. When you say Ghose who are you he referring to?

11 A. Eghosa.

12 Q. And you say -- the print says dis bone. What is that?

13 A. A typo.

14 Q. Okay. Let's skip forward to the next page. Right in
15 the middle of the page -- sorry, Mr. Kerrigan. If we can flip
16 to the next page.

17 MR. DELANEY: Court's indulgence. One moment, the
18 screen is frozen, I think. I switched to the document camera.
19 It'll be easier to explain what you're saying. Putting up the
20 third page of this and zooming in on the middle of the page.

21 Do you see the text, your text there that I'm pointing
22 to, can you just read that to us?

23 A. I pressed B instead of the space.

24 Q. So, this one is what you went to say --

25 A. Yes.

1 Q. -- not this bone?

2 Then putting up the next page of text --

3 THE COURT: These are all part of Government Exhibit
4 15, correct?

5 MR. DELANEY: This is Government Exhibit 15. Thank
6 you, Your Honor.

7 BY MR. DELANEY:

8 Q. Can you read the text that Teki sends to you?

9 A. So who you been with all day?

10 Q. And your response?

11 A. Ghose.

12 Q. And who are you referring to when you say this?

13 A. Eghosa.

14 Q. Okay. If we can switch back to the -- thank you,
15 Mr. Kerrigan.

16 when you first traveled to Baltimore, did you have any
17 idea how long on you would be there for?

18 A. No.

19 Q. Did you ask?

20 A. No.

21 Q. why did you go?

22 A. I was -- I was what people would consider down bad. I
23 was broke and desperate.

24 Q. All right. Let's go back to that first day. Were you
25 given specific instructions as to what you were supposed to do

1 when a package arrived?

2 A. Yes.

3 Q. What were the instructions? Well, who gave you those
4 instructions?

5 A. Amaya.

6 Q. What were those instructions?

7 A. To not inform anyone why we were there. To not wait
8 directly on the address where the package would be delivered.
9 And, ultimately, just stay out of sight.

10 Q. Okay. So when you're dropped off at this location,
11 how did you stay out of sight?

12 A. Just kind of went a few houses down. Didn't speak to
13 anyone. I just --

14 Q. Just stood there?

15 A. Sort of, kind of. Walked around, sat. Just --

16 Q. Did a package ultimately arrive?

17 A. Yes.

18 Q. When the package arrived were you by yourself?

19 A. No.

20 Q. Who was there with you?

21 A. Eghosa.

22 Q. When did he arrive?

23 A. Maybe -- I don't remember honestly. Maybe an hour,
24 maybe sometime before my package came.

25 Q. Do you know if he had retrieved a package?

1 A. Yes.

2 Q. Had he?

3 A. Yes.

4 Q. Okay. So what happened when the package arrived?

5 A. Oh, I waited for the delivery driver to leave and then
6 I walked up to the house where the package was delivered and
7 picked up the package and placed it in my bag.

8 Q. What happened after that?

9 A. We informed, I can't remember if it was Jay or Amaya
10 that we have got the package. And then we were -- we went back
11 to the Airbnb.

12 Q. To whom did you give the packages?

13 A. Amaya.

14 Q. Did you see the packages opened?

15 A. No.

16 Q. During the time you were in that first Airbnb did you
17 open any packages?

18 A. No.

19 Q. Did you observe anyone open any packages?

20 A. No.

21 Q. Are you aware of if those packages were opened in the
22 Airbnb?

23 A. At some point, yes, they were.

24 Q. How do you know that?

25 A. There was one day where Jay came and he went into the

1 master bedroom of the Airbnb and walked out with a trash bag
2 full of scraps from the packages.

3 Q. What happened on the second day you were in the
4 Airbnb?

5 A. Same thing. Woke up early in the morning, this time
6 Jay picked up me and Eghosa to go to drop us off to the
7 addresses.

8 Q. Do you remember what he was driving?

9 A. A Mercedes Benz.

10 Q. Was there anything different about this package pick
11 up operation from the one the day before?

12 A. Yeah, slightly.

13 Q. What was different?

14 A. The package, the address that the package was being
15 delivered to that I was at was occupied.

16 Q. It was occupied?

17 A. Yes.

18 Q. How do you know it was occupied?

19 A. Because when I got there it looked like somebody had
20 -- it was furnished.

21 Q. So what --

22 A. And a couple eventually walked out.

23 Q. So what did you do?

24 A. Prior to them walking out I asked Eghosa what should I
25 do.

1 Q. How did you ask him this?

2 A. I said, hey, there's somebody living here, what do I
3 do?

4 Q. What, if anything, did he say?

5 A. That if they come out tell them that you had important
6 documents sent and the address was messed up.

7 Q. Okay. So what did you do?

8 A. I -- when the couple eventually came up, I told them
9 I'm sorry, I apologized and I said that there was a package
10 being delivered here but it was a mistake, and it was important
11 documents. And I told them it was college transcripts, school
12 transcripts.

13 Q. Okay. And what, if any, response did the couple have?

14 MR. GUILLAUME: Objection.

15 THE COURT: Sustained.

16 BY MR. DELANEY:

17 Q. What happened after you spoke to the couple and told
18 them that you were looking for a package with important
19 documents? What happened next?

20 A. Nothing. They told me it was fine.

21 MR. GUILLAUME: Objection.

22 THE COURT: Objection is sustained. You can --
23 questions that are in furtherance of the conspiracy are not
24 hearsay. To the extent that other statements are offered they
25 should not be offered. He doesn't need to say what people said

1 to them unless it's in furtherance of the conspiracy. A
2 response such as that from a person at the address is not in
3 furtherance of the conspiracy so the objection is sustained.

4 MR. DELANEY: Thank you, Your Honor.

5 BY MR. DELANEY:

6 Q. Did the couple remain at residence after you spoke
7 with them?

8 A. No.

9 Q. Okay. After they left what did you do?

10 A. I proceeded to wait like a house or two down.

11 Q. And ultimately did the package arrive?

12 A. Yes.

13 Q. What happened?

14 A. The delivery driver dropped it off on the like a
15 stair, the stairway in front of the door, and I walked over and
16 picked it up and placed it in my bag.

17 Q. What happened next?

18 A. I informed Eghosa and then -- that's all I can
19 remember really.

20 Q. I believe you testified on moment ago that you stayed
21 in D.C. somewhere from three days to a week --

22 A. Right.

23 Q. -- is that right?

24 A. Correct.

25 Q. Did you pick up packages the entire time you were

1 there?

2 A. No, not the entire time I was there, no.

3 Q. Okay.

4 A. Just the -- like the first day and the second day.

5 Q. Okay. And where did you give the package the second
6 day?

7 A. We gave it to Jay.

8 Q. Okay. Were you paid for this time you spent in D.C.?

9 A. Not initially.

10 Q. Okay. Were you ultimately paid for it?

11 A. Yes.

12 Q. How did you get paid for your work picking up
13 packages?

14 A. Based off of how many packages we picked up and the
15 addresses we provided.

16 Q. We haven't spoken about providing addresses before.
17 Actually, I'll get to that question later.

18 who was it that paid you?

19 A. Jay.

20 Q. How did Jay pay you?

21 A. In cash.

22 Q. Where were you when Jay paid you?

23 A. Well, the -- that first time we met at a supermarket
24 called Giant, in their parking lot.

25 Q. Did he pay you regularly?

1 A. Not -- I wouldn't say regularly. He paid us when he
2 felt like it.

3 Q. After you stayed in D.C. did you go somewhere else?

4 A. Yes.

5 Q. Where did you go?

6 A. After D.C. we went to Philadelphia.

7 Q. Did you go anywhere before Philadelphia?

8 A. To pick up packages, no.

9 Q. How did you get to Philadelphia?

10 A. We drove.

11 Q. Who is we?

12 A. Me, Eghosa, a guy named Cam, Cameron, and that's all
13 -- that's who I can remember right now.

14 Q. Were you told to go to Philadelphia or were you given
15 a choice?

16 A. We were given a choice.

17 Q. What was your choice?

18 A. Philadelphia, New Jersey, New York or Baltimore.

19 Q. While you were in Philadelphia who was the source of
20 information for where packages would be picked up?

21 A. Jay.

22 Q. And who did Jay communicate the information to?

23 A. Eghosa.

24 Q. How was it communicated to you?

25 A. I'm not -- I don't understand.

1 Q. I'll rephrase. Did you come to learn how Ego --
2 Eghosa received the information from Jay?

3 A. Yeah, through a messenger app.

4 Q. What was the messenger app called?

5 A. Wickr.

6 Q. Wickr?

7 A. Yes.

8 Q. W-i-c --

9 A. K-R.

10 Q. Okay. Is Wickr the same as a normal text message?

11 A. No.

12 Q. How does it differ?

13 A. On the Wickr app the messages are -- they delete
14 themselves after a certain amount of time.

15 Q. Can we put up on the screen Government's Exhibit No.
16 20. Oh, I got it.

17 And do you recognize the two phone numbers that are a
18 party to this conversation?

19 A. Yes.

20 Q. Whose are they?

21 A. Yes, I do.

22 Q. Whose are they? I'm sorry, whose are they?

23 A. One is my phone number and the other one is Eghosa's.

24 Q. If we can pull back. Can you read to us what is said
25 first by the number ending in 5821 that you've identified as

1 Eghosa's?

2 A. Send me Jay Wick name and yours.

3 Q. What do you understand Jay Wick name to be?

4 A. I believe it said Pei Mee. It was supposed to be Pay
5 Me.

6 Q. Okay. If we can blow up the rest of the -- is that
7 what Jay -- and do you see a text there -- oh, I have a dot.

8 Do you see a text there from you?

9 A. Yes.

10 Q. Do you understand -- what do you say?

11 A. Ultimately, meant to put pay me but it says Peimee.

12 Q. How should have it been spelled?

13 A. P-e-i-m-e-e.

14 Q. And was that the name of Jay's Wickr name?

15 A. Yes.

16 Q. And below that, is that your Wickr name?

17 A. Yes.

18 Q. Okay. While you were in Philadelphia did you collect
19 additional packages?

20 A. Yes.

21 Q. Did Eghosa?

22 A. Yes.

23 Q. Was Amaya English there with you?

24 A. No.

25 Q. Did Jay stay there with you?

1 A. No.

2 Q. Where did you stay?

3 A. At a hotel.

4 Q. Okay. Who was responsible for collecting the packages
5 when you picked them up?

6 A. Eghosa.

7 Q. What did you observe, if anything, Eghosa do with the
8 packages when he picked them up from you?

9 A. Just held on to them.

10 Q. Did you observe him give packages to anyone else?

11 A. No.

12 Q. At this point in time in Philadelphia who gave you
13 money to pay you for your services?

14 A. Eghosa.

15 Q. Now, we've alluded to this before. Were you asked at
16 some point in time to find addresses?

17 A. Yes.

18 Q. Who asked you to find addresses?

19 A. Jay.

20 Q. Was anyone else asked to find addresses?

21 A. Yes.

22 Q. Who?

23 A. Pretty much all the parties involved at the time; me,
24 Eghosa, Cam.

25 Q. Okay. How did you -- what was the purpose of the

1 addresses?

2 A. For packages to be delivered.

3 Q. How did you find addresses?

4 A. We drove around looking for --

5 Q. When you say we?

6 A. Me, Eghosa, Cameron drove around looking for vacant
7 homes that looked convincing enough for packages to be delivered
8 to.

9 Q. Were there any other ways in which you found
10 addresses?

11 A. Eventually Zillow was used.

12 Q. How was Zillow used?

13 A. Through filtering houses for sale.

14 Q. And who came up with that idea?

15 A. I don't know who came up with the idea. I know the
16 idea was presented to me through Eghosa.

17 Q. Put up on the screen Government's Exhibit No. 16. And
18 if we can just blow up the entire box. Do you recognize these
19 notes?

20 A. Yes.

21 Q. Whose notes are these?

22 A. Mine.

23 Q. And we see a created and modified date. Why don't you
24 just tell us, what was the last modified date of these notes?

25 A. November 18th, 2018.

1 Q. And what was the purpose of these notes?

2 A. To -- to keep record of addresses for packages to be
3 delivered to that we eventually would send to Jay.

4 Q. And without reading all of the individual addresses,
5 can you give us the location, city and state, of each of those
6 addresses?

7 A. Philadelphia.

8 Q. We can remove that. Thank you very much,
9 Mr. Kerrigan.

10 After Philadelphia, where did you go next?

11 A. New Jersey.

12 Q. Did you meet anybody new in New Jersey?

13 A. Yes.

14 Q. Who did you meet?

15 A. Drawing a blank on the names. Oh.

16 Q. Take your time.

17 A. Keiarah and a young man named Sooraji.

18 Q. Okay. Do you know Keiarah's last name?

19 A. No.

20 Q. Okay. Was Keiarah a member of the group that was
21 picking up packages?

22 A. Yes.

23 Q. What was her role?

24 A. Just to pick up packages.

25 Q. Okay. Did Keiarah have any relationships beyond

1 picking up packages with anyone who was a member of the group?

2 A. Eventually, yes.

3 Q. What was the relationship and to whom?

4 A. It was, I believe, a romantic relationship with
5 Eghosa.

6 Q. And you also mentioned somebody by the name of
7 Sooraji?

8 A. Yes.

9 Q. What was your understanding of how he got involved?

10 A. That Jay brought him in.

11 Q. And about how long was Sooraji there for?

12 A. Roughly a month.

13 Q. Did he work out very well?

14 A. No.

15 Q. Did he ultimately return back where he came from?

16 A. Yes.

17 Q. Did you have an opportunity to meet Zo at some point
18 in time?

19 A. Yes.

20 Q. Where were you when you met Zo?

21 A. New Jersey.

22 Q. And tell us about meeting Zo.

23 A. I can't remember the details, but just he was there
24 and he was kind of a stand-in for Jay.

25 Q. What do you mean by stand-in?

1 A. Well, he was the one who at some point, for a short
2 time, gave us the information of where things -- packages would
3 be delivered to.

4 Q. Got it. Over time were additional people given the
5 ability -- were additional people given the responsibility of
6 opening packages?

7 A. Yes.

8 Q. Who was the first person you remember getting the
9 ability to open packages?

10 A. Amaya.

11 Q. And after Amaya?

12 A. Eghosa. But before Amaya it was Zo actually.

13 Q. Okay. So is it correct to say that Jay was able to
14 open packages?

15 A. Yes.

16 Q. And over time Zo and Amaya?

17 A. Yes.

18 Q. What about after that?

19 A. Eventually Eghosa and then me.

20 Q. How do you know that Eghosa was able to open packages?

21 A. I had to record a video of him doing it.

22 Q. Who asked you to record it?

23 A. Eghosa.

24 Q. Can you give -- were you given any instructions as to
25 how you were to record it?

1 A. Yes. The camera had to be placed above the package
2 and to leave the face of Eghosa out of it, or the person
3 counting.

4 Q. And was this the point in time where you learned what
5 was in the packages?

6 A. Yes.

7 Q. And what was in the package?

8 A. Money.

9 Q. When you say money, what do you mean money? Checks?

10 A. Cash.

11 Q. And how was the cash packaged?

12 A. In various ways. Sometimes they were in magazines,
13 sometime they were in bank envelopes, sometimes they were
14 stuffed in newspaper.

15 Q. And how many times do you think you recorded Eghosa
16 opening packages?

17 A. Anywhere between five to ten times.

18 Q. And I believe you testified that you were ultimately
19 allowed to open packages as well?

20 A. Yes.

21 Q. Who told you you could do that?

22 A. Jay.

23 Q. When you opened packages did you record videos?

24 A. Yes.

25 Q. Why?

1 A. To keep track of the amount of money that was in the
2 package so -- and to kind of ensure that no one was stealing
3 money.

4 Q. I want to put up on the scene Government's Exhibit 29.
5 Now this is a video. Have you previously reviewed Government's
6 Exhibit 29?

7 A. Yes.

8 Q. And do you -- do you -- who took the video?

9 A. It's -- I mean, I took it myself.

10 Q. Okay. Let's go ahead and play it. We can stop as we
11 go.

12 (A video was played during which the following occurred:)

13 MR. DELANEY: Let's go ahead and pause it right there.

14 BY MR. DELANEY:

15 Q. Do you remember where you were when you took this
16 video?

17 A. A fast-food restaurant.

18 Q. And where is the camera?

19 A. Well, that is a baby changing station and that's the
20 platform that you place the baby on. The camera was placed on
21 -- like on top of the whole thing.

22 Q. Okay. Let's go ahead and watch it. And is there a
23 continuation of that video?

24 A. Yes.

25 Q. Pulling up Government's Exhibit 30. If we can play

1 the video. Okay.

2 what would you do with videos -- did you take other
3 videos beyond that one?

4 A. Yes.

5 Q. what would you do with videos like that?

6 A. Send it to Jay.

7 Q. How would you send it to Jay?

8 A. Via wickr.

9 Q. Do you remember the amounts that you would find in
10 packages when you open and counted the cash?

11 A. They ranged from about 5,000 to 10,000.

12 Q. what was the biggest one you remember counting?

13 A. About 20,000.

14 Q. How long were you away from home the first time you
15 traveled?

16 A. A couple months.

17 Q. Sorry, just can't hear you.

18 A. A couple months.

19 Q. Okay. And over time did you make more trips?

20 A. Yes.

21 Q. Okay. You originally flew in September of 2018.
22 Moving forward to the winter, do you remember additional people
23 who got involved in the -- in the package pick up business?

24 A. No, I can't remember the names.

25 Q. Okay. Do you know an individual by the name of

1 Leveensky Lambert?

2 A. Oh, yes. Yes.

3 Q. Was he involved?

4 A. Yes.

5 Q. How do you remember meeting -- how do you remember him
6 getting involved?

7 A. I don't remember how, but I remember him being there
8 because I know him personally.

9 Q. Okay. Did you pick up packages with him?

10 A. Yes.

11 Q. Okay. Did you ever come to learn what happened to all
12 that cash?

13 A. Yes.

14 Q. How did you learn this?

15 A. Through -- there was trips taken to New York.

16 Q. Who took trips to New York?

17 A. At first it started with, from my knowledge it was
18 Eghosa.

19 Q. How do you know that?

20 A. Because I was sent -- or I was asked to pick him up
21 from New York.

22 Q. Where did you pick him up? Can you describe it for
23 us?

24 A. It was a lot of jewelry stores around in New York,
25 downtown Manhattan area. It was a high-rise building.

1 Q. And what was -- what was your understanding of why
2 Eghosa was going to New York?

3 A. To drop off a large sum of money, a large lump sum of
4 money.

5 Q. How do you know this?

6 A. Because I eventually started doing drops myself.

7 Q. How was the package -- or how was the money carried?

8 A. It was prepackaged by Jay and then placed in a back
9 pack that I had.

10 Q. Okay. Did you observe Eghosa carrying bags like
11 yours?

12 A. Yes.

13 Q. So can you describe for us the drop when you did it?
14 I'm sorry, I'm going to withdraw that question.

15 Did you ever make a drop with Eghosa?

16 A. Yes.

17 Q. Tell us what happened.

18 A. We went to the high-rise building and then we went to
19 the 13th floor. Yeah, the 13th floor. And then there was a
20 small office. And then there was -- we'd meet a guy there and
21 he'd take the money out and place it in a money counter.

22 Q. Okay. And then what would happen?

23 A. The money would then be counted and then a phone call
24 was made to Jay by the person who counted the money. And from
25 my understanding it was to confirm the amount that was counted.

1 Q. So did the person to whom you gave the money have an
2 understanding of how much money should be there?

3 A. Yes.

4 Q. And was the purpose of the phone call to communicate
5 whether it matched?

6 A. Yes.

7 Q. How many times did you go with Eghosa to drop off
8 money?

9 A. Not many times. Maybe twice.

10 Q. How many times did you travel with Eghosa to drop off
11 money, whether or not you went in with him or not?

12 A. Maybe five, 10, almost a dozen times maybe.

13 Q. How many times did you personally drop off money?

14 A. About ten times.

15 Q. What --

16 A. Between five and ten times.

17 Q. Understood. When you dropped off money or were
18 present when money was dropped off, did you observe the count?

19 A. A couple times I did, yes.

20 Q. What observation did you make as to much money was
21 counted?

22 A. Six figure amounts. One time it was about 300,000.
23 One time it was about 170,000.

24 MR. DELANEY: Court's indulgence.

25 BY MR. DELANEY:

1 Q. I'd like to go ahead and put up on the screen --
2 sorry. I'm going to put up on the screen what's been marked as
3 Government's Exhibit 28. Do you recognize the telephone number
4 on this?

5 A. Yes. Yes, I do.

6 Q. whose telephone number is that?

7 A. Eghosa.

8 Q. Is that the contact you gave him in your phone?

9 A. Yes.

10 Q. what is it?

11 A. E with an asterisk.

12 Q. I'd like to move to page 5. And if we can highlight
13 the blue text in the middle of the page.

14 Do you recognize on March 25th, 2019, what -- what
15 that address is?

16 A. Yes.

17 Q. 55 West 47th Street, Suite 620 in New York, New York?

18 A. Yes.

19 Q. what is it?

20 A. That is the building -- that was the building near the
21 high-rise building we had to go to.

22 Q. why do you say near?

23 A. Because -- I don't know, the Suite 620 is throwing me
24 off because we went to the 13th floor. That's just my
25 observation of it.

1 Q. Okay. But this address is close to the building you
2 went for the drop?

3 A. Yes.

4 Q. And can you describe the businesses around that area?

5 A. Jewelry stores.

6 Q. Okay. We can go ahead and remove that.

7 All right. Let's put up Government's Exhibit 18,
8 please. All right. If we can just expand that.

9 Do you recognize these notes?

10 A. Yes.

11 Q. And can you tell us the date of modification? Last
12 date of modification?

13 A. January 4, 2019.

14 Q. Are these your notes?

15 A. Yes.

16 Q. What are they?

17 THE COURT: What exhibit is up right now?

18 MR. DELANEY: Government's Exhibit 18.

19 THE COURT: 18? Yes. Thank you.

20 MR. DELANEY: Thank you, Your Honor.

21 BY MR. DELANEY:

22 Q. What are these notes?

23 A. Addresses.

24 Q. Where?

25 A. In Washington, D.C.

1 Q. what's the purpose of these addresses?

2 A. Those addresses were for -- to be provided so packages
3 could be delivered to them.

4 Q. Did you communicate these addresses to anyone else?

5 A. Yes.

6 Q. To whom did you communicate them?

7 A. Jay.

8 Q. Let's put up Government's Exhibit 19. If we can
9 expand this. Thank you, Mr. Kerrigan.

10 Do you recognize these notes?

11 A. Yes.

12 Q. whose notes are they?

13 A. They're my notes.

14 Q. And what is the last date these notes were modified?

15 A. January 7, 2019.

16 Q. And what are we looking at here?

17 A. Addresses in Baltimore, Maryland.

18 Q. I'm going to draw your attention specifically to the
19 one I'm pointing to right there, 417. Can you read that address
20 to us?

21 A. 417 Southway, Baltimore, Maryland.

22 Q. Okay. And two below that, can you read us that
23 address?

24 A. 216 North Chester Street, Baltimore, Maryland.

25 Q. And the one below that?

1 A. 314 Southway Baltimore, Maryland.

2 Q. Okay. Did you transmit these addresses to anyone?

3 A. Excuse me?

4 Q. Did you send these addresses to anyone?

5 A. Yes.

6 Q. who did you send them to?

7 A. I sent these to Jay.

8 Q. why?

9 A. So that way we could have packages delivered to them.

10 Q. If we could put up Government's Exhibit 21 on the
11 screen.

12 whose notes are these?

13 A. My notes.

14 Q. When are they last modified?

15 A. January 19th, 2019.

16 Q. And what does this list show, in January?

17 A. Just a list of pick ups by individuals.

18 Q. what kind of pick ups?

19 A. Of package pick ups.

20 Q. why are you listing pick ups in your notes?

21 A. To keep track of the packages picked up for everyone
22 so that they can get paid.

23 Q. So who can get paid?

24 A. The individuals, Mike, Ego, Keion, and myself.

25 Q. I think you told us about Keion before. who is Mike?

1 A. That's Mikey who you mentioned earlier.

2 Q. What Mikey's real name, full name?

3 A. Levensky.

4 Q. Okay. And then if we can blow up this one. No, not
5 when I circle it. No, you can't do it anymore. Can you see
6 this one and read this one to us?

7 A. Ego, five pick ups total.

8 Q. Keep going.

9 A. Thursday, 2801 Maryland Avenue; Friday, 3016 Kenyon
10 Ave and 2802 Maryland Ave. Saturday, two packs at 716 Melville
11 Avenue.

12 Q. And that's on Saturday?

13 A. Yes.

14 Q. I see. So Thursday there's a notation under Keion,
15 three pickups. Can you read that address to us?

16 A. That Thursday?

17 Q. Yep.

18 A. Thursday, 761 Melville.

19 Q. Thank you. Putting up Government's Exhibit No. 22.
20 Do you recognize who are the participants to this
21 conversation?

22 A. I recognize my number but not the 305 number.

23 Q. You recognize the number ending in 0771?

24 A. Yes, that's mine.

25 Q. That's your phone number?

1 A. Yes.

2 Q. You don't recognize whose number that is --

3 A. No.

4 Q. -- ending in 9557 though; is that right?

5 A. No, I don't know that number. I don't remember that
6 number.

7 Q. Pulling back out. Do you recognize the sum and
8 substance of the conversation? Have you reviewed it previously?

9 A. From mine on down?

10 Q. Uh-huh.

11 A. Yours on the truck right now.

12 Q. Have you reviewed this before?

13 A. No.

14 Q. Let's go ahead and skip forward to page 2. And if we
15 can blow up the text in the middle of page that I've circled.
16 Do you recall sending that text?

17 A. Yes.

18 Q. Okay. Do you remember who you sent it to?

19 A. No. Not right now, no. I can't remember.

20 Q. Tell us what you remember about sending that text.

21 A. That it looks like this address, somebody was living
22 there, and I was telling whomever this is to make the excuse
23 that their grandmother messed up, that she was supposed to send
24 it to 3208 Longview Ave and not Lake Ave and to let them know
25 that you're not from there.

1 Q. Did you come up with that excuse yourself?

2 A. At that specific time, yes.

3 Q. Okay. You testified at that specific time. Had you
4 heard that excuse used prior to that time?

5 A. Yes.

6 Q. Who used it?

7 A. Eghosa.

8 Q. Let's put up Government's Exhibit --

9 MR. DELANEY: Court's indulgence.

10 Yeah, let's go ahead and put up Government's Exhibit
11 23 again. Oh, no, this is the first time we put it up. Putting
12 up Government's Exhibit 23. And if we can look at the
13 participants. Again, we see your telephone number. Do you
14 recognize the other number?

15 A. Yes, I do.

16 Q. Whose number -- I'm sorry for speaking over you,
17 that's my fault. Whose number is that?

18 A. Eghosa.

19 Q. Okay. We can blow it back up again, and just the
20 conversation. Mr. Kerrigan, can you blow up the whole thing?

21 What do you say?

22 A. Send ya ID.

23 Q. And what's the response?

24 A. Eghosa -- Eghosasere Avboraye.

25 Q. Okay. And then if we can click forward to the second

1 page of Government's Exhibit 23. If we blow up the attachment.
2 Just the attachment. If you can blow up that page first. Thank
3 you.

4 Does there appear to be an attachment to it?

5 A. Yes.

6 Q. Okay. And who is sending that attachment?

7 A. Eghosa.

8 Q. And if we can clip now to Government's Exhibit 23A.
9 Does this appear to be a copy of the attachment sent?

10 A. Yes.

11 Q. What does it appear to be?

12 A. Eghosa's ID card.

13 Q. Take that down.

14 Do you recall a time where you learned that some
15 members of the conspiracy had been arrested in Florida?

16 A. Yes.

17 Q. Where were you when you learned that this occurred?

18 A. I was in Baltimore at that time.

19 Q. Let's put up Government's Exhibit 25. Actually,
20 before we do 25 let's just do 24. Government's Exhibit 24. Do
21 you see the date of modification on this?

22 A. Yes.

23 Q. When is it?

24 A. February 9th, 2019.

25 Q. And what is it that we're looking at here?

1 A. Addresses from Philadelphia.

2 Q. And did you communicate those addresses to anyone?

3 A. Yes.

4 Q. To whom?

5 A. Jay.

6 Q. Okay. Now we can go to Government's Exhibit 25.

7 If we can look at the top, who are the participants to
8 this conversation?

9 A. Me and I believe that's Keiarah's number.

10 Q. Okay.

11 THE COURT: You have to keep your voice up please, and
12 speak clearly into the microphone, please.

13 THE WITNESS: I believe that was Keiarah's number.

14 BY MR. DELANEY:

15 Q. Okay. If we can go back to the conversation now. If
16 you can read to us what is the person you believe to be Keiarah
17 say?

18 A. You speaking to Ego today?

19 Q. And your response?

20 A. I did, but he been MIA since about 11.

21 Q. And what did she say?

22 A. Yeah, that's pretty much like all day. Um was he
23 okay? Do you know?

24 Q. And your response?

25 A. I've been hitting up but no answer.

1 Q. Turning to the second page. And then we'll just focus
2 in on the bottom two text boxes. What does Keiarah say?

3 A. Call me.

4 Q. And your response?

5 A. They locked up.

6 Q. And the date on this?

7 A. February 9th, 2019.

8 Q. Okay. Turning to page 3. And if we can blow up
9 starting here and going down to here. Thank you, Mr. Kerrigan.

10 What does Keiarah say?

11 A. He needs you. Call his big brother.

12 Q. Who is big brother?

13 A. It was a joke at the time, but we were talking about
14 Jay.

15 Q. And your response?

16 A. My phone was dead when they called.

17 Q. And what does Keiarah say?

18 A. People, can you please just call his Milk Dud big
19 brother and let him know.

20 Q. Who is Milk Dud big brother?

21 A. Jay.

22 Q. Let's go ahead and put up Government's Exhibit 11. Is
23 that the person you identified before as Jay?

24 A. Yes.

25 Q. Did he go by Milk Dud?

1 A. He didn't go by Milk Dud that's just what we called
2 him.

3 Q. would you have called him Milk Dud?

4 A. No.

5 Q. why not?

6 A. He wouldn't have liked it.

7 Q. Let's go back to Government Exhibit 25, and page 4.
8 And if we can go down to the bottom of the page and just blow it
9 up from there.

10 what does Keiarah say?

11 A. Imma look it all up but it's all Keion fault. I been
12 talking to Ghost. Keion is a gook.

13 Q. And let's just -- what do you say at the bottom of
14 page there at 11:39 p.m. UTC time?

15 A. How was Keion fault, LOL.

16 Q. Okay. who is Keion if you can remind us?

17 A. He was somebody else involved in the scheme.

18 Q. Okay. Let's turn to page 5. And is -- well, let's
19 start at the top. Let's blow up the first half of it.

20 what does Keiarah say? And if you can just read the
21 three texts that Keiarah writes.

22 A. He was nervous and his mouth ran like water. They
23 literally was asleep in the back and had nothing to worry about.
24 You know how they get to asking questions and digging like they
25 always do. Like they did us in Jersey with Zo. Just digging

1 and nervous. Nervous as Keion was just saying shit that pretty
2 much recanted what Egho and Mikey said. So it looks like a big
3 fat-ass mess. Keion just never dealt with feds because they
4 scared him and it worked.

5 Q. There's a reference here to "like they did us in
6 Jersey with Zo." What is this in reference to?

7 A. A traffic stop.

8 Q. Who was the party to the traffic stop?

9 A. Me. Me, Zo, and Keiarah.

10 Q. And what happened? Was anybody else there?

11 A. I can't remember.

12 Q. Okay. What happened?

13 A. We were stopped by the police for a traffic violation
14 and they kind of made a big deal. They had the dogs and
15 everything on us, I remember that day. And there was a few
16 officers involved looking for -- I believe drugs because they
17 called the drug dog.

18 Q. What were you doing when were you driving?

19 A. I forget what we were doing, but we had packages on us
20 at that moment.

21 Q. If can do the bottom of page 5 of Government's Exhibit
22 25.

23 what did you say?

24 A. He should have stuck to the I don't know.

25 Q. What does that mean?

1 A. It means just any time you don't know what to say to
2 the police just say I don't know.

3 Q. Okay. What does she say at the bottom of the page at
4 11:58?

5 A. He start talking shit about being in a hotel brought
6 Ghost name it, and everything Keion said is opposite of Mikey
7 and Ghost. Whose story match.

8 Q. Turning then to page 6. At the top of the page what
9 is that link?

10 A. I think it was the an arrest record.

11 Q. Okay. And the next date, just look at the remaining
12 text on this page. All of them, if we can fit them in.

13 Can you read it or do you want me to make it bigger?

14 A. No, that's fine, I can read it.

15 Q. What does Keiarah say?

16 A. I found that, and it's odd Keion ain't being charged
17 with nothing at all. Just got off the phone with Ghost, bail
18 hearing at 9 a.m. He has those three charges and they came up
19 with that based off what Keion said. Mind you, police found him
20 sleeping.

21 Q. And you say?

22 A. So you're telling me that Keion is snitching.

23 Q. And Keiarah.

24 A. In other words, but I don't know, it's just odd he has
25 no charges, and Egho says I should know what that mean. He the

1 only one the feds seen nervous as hell. They probably got in
2 his head.

3 Q. Okay. And then what do you say?

4 A. That's crazy. I'm pissed, because Jay left me as
5 well. I fuck with Keion, but bruh, idiot. I told him before,
6 any situation with the cops you tell them I don't know,
7 especially if there was no drugs and he wasn't driving.

8 Q. Okay. Page 7 just the text at the top of page.

9 THE COURT: Mr. Delaney, how many more texts are we
10 going to look at with respect to this dialogue between Keion and
11 the witness?

12 MR. DELANEY: This texts and the two more pages.

13 THE COURT: All right. This is getting a little
14 cumulative now and we have to move on for case management. We
15 have another minute on this, we move on, Mr. Delaney.

16 MR. DELANEY: Thank you very much, Your Honor.

17 BY MR. DELANEY:

18 Q. Let's go ahead and skip forward to page -- I think
19 it's page 10. Actually, let's go to page 11. At the top of the
20 page, what are we looking at here?

21 A. A news article. A link to a news article.

22 Q. Do you remember seeing news articles?

23 A. Yes.

24 Q. Okay. And did you watch the news articles?

25 A. Yes. I read them briefly, yes.

1 Q. what did you learn from the news articles you watched?

2 A. That Mike, Egho, and Keion were arrested in connection
3 with a grandparent's scheme, elderly scheme.

4 Q. Okay. And let's go down to the text below this. And
5 one more. I'm sorry, Mr. Kerrigan. Those three and we'll be
6 done.

7 THE COURT: what exhibits are you on now?

8 MR. DELANEY: we're still on Government Exhibit 25.

9 THE COURT: We have another minute on this, Mr.
10 Delaney. we're winding this up.

11 MR. DELANEY: Thank you, Your Honor.

12 BY MR. DELANEY:

13 Q. Page 11. what does Keiarah say?

14 A. Released. He called me.

15 Q. And what do you say?

16 A. Yeah, Jay told me.

17 Q. Okay. we can remove Government's Exhibit 25.

18 After Eghosa was released did you discuss what
19 happened with him?

20 A. Yes.

21 Q. what, if any, conversations did you have with him
22 about what happened?

23 THE COURT: I'm sorry, clarify. with whom is he
24 speaking now?

25 MR. DELANEY: Eghosa.

1 THE COURT: Okay. But with the defendant Eghosa.
2 It's important to clarify this now.

3 MR. DELANEY: Thank you very much, Your Honor.
4 BY MR. DELANEY:

5 Q. What, if anything, did he say?

6 A. He said that Eghosa said that he was in the backseat
7 sleeping and Mikey got out of the vehicle to retrieve a package
8 and the police surrounded them.

9 Q. Okay. Did you discuss what you'd learned from the
10 news stories with Jay?

11 A. Yes.

12 Q. Tell us about that conversation.

13 A. When I brought to Jay's attention the article, I asked
14 him if this was the same thing. Was this related to what we're
15 doing up north here.

16 Q. And what did you mean by this?

17 A. The picking up of packages.

18 Q. Specifically packages from where?

19 A. Elderly people.

20 Q. What was Jay's reaction?

21 A. He nor denied or confirmed, he just brushed me off and
22 told me not to worry.

23 Q. After that conversation did you have another
24 conversation with Jay about it?

25 A. Yes.

1 THE COURT: Mr. Delaney. Mr. Delaney, what are the
2 conversations after the arrest having to do with the furtherance
3 of the conspiracy for which the charges were brought?

4 BY MR. DELANEY:

5 Q. After the arrest that you've testified to did you
6 continue to pick up packages as part of this scheme?

7 A. Yes.

8 Q. Did Eghosa continue to pick up packages as part of
9 this scheme?

10 A. Yes.

11 Q. After you'd first asked Jay -- you've already
12 testified that there was a second conversation with Jay about
13 what you'd learned from the news stories; is that correct?

14 A. Yes.

15 Q. Who else -- was anyone else present for that
16 conversation?

17 A. Yes.

18 Q. Who?

19 A. Eghosa.

20 Q. Tell us about that conversation.

21 A. I then asked -- I asked again, to Jay, is this
22 connected to the packages we've been picking up. And then he
23 then confirmed yes, this is the -- this is -- the same thing
24 that went on there is what we're doing up here.

25 Q. Did you have an opportunity to observe Eghosa's

1 reaction to Jay as confirmation?

2 A. Yes.

3 Q. what did you observe about his reaction?

4 A. That he wasn't surprised.

5 Q. what makes you say that?

6 A. Just body language, facial expression. Almost like he
7 had known.

8 Q. Subsequent to this conversation with Jay and Eghosa,
9 did you have further conversations with Eghosa about where the
10 money came from?

11 A. Yes.

12 Q. Tell us about those conversations.

13 A. Eghosa basically informed me that this scheme has been
14 going on for sometime and that it's possibly older than me and
15 him.

16 Q. After this conversation did you continue to remain a
17 member of the conspiracy?

18 A. Yes.

19 Q. why?

20 A. Because I was broke still.

21 Q. To your knowledge, did Eghosa continue to remain a
22 member of the conspiracy?

23 A. Yes.

24 Q. what if any changes were made to the operation after
25 this Florida arrest?

1 A. We were in -- I was instructed to remove labels from
2 packages when we retrieved them.

3 Q. Who instructed you?

4 A. Eghosa.

5 Q. Any other changes made?

6 A. We were not to smoke in cars and we were not to keep
7 more than one package on our persons at a time.

8 Q. And who made those -- who made those changes?

9 A. It was Jay and Eghosa, they -- was kind of both.

10 Q. Let's put up Government's Exhibit 27. Who are the
11 participants to this conversation?

12 A. Me and Eghosa.

13 Q. If we can pull back out.

14 The conversation itself, when does it take place?

15 Blow up the whole conversation. Thank you.

16 A. March 11, 2019.

17 Q. Okay. Is this after those conversations we just
18 described between you, Jay, and Eghosa?

19 A. Yes.

20 Q. Okay. And is there an attachment at March 11th?

21 A. Yes.

22 Q. Can we put up Government's Exhibit 27A.

23 Does this appear to be that attachment?

24 A. Yes.

25 Q. What is it?

1 A. A money order from western Union.

2 Q. Okay. In fact, let's go back and put up Government's
3 Exhibit 28 again. And turn to page 5.

4 This address we discussed earlier in New York, who
5 texts that address to you?

6 A. Eghosa.

7 Q. What's the date?

8 A. March 25th, 2019.

9 Q. Your response?

10 A. On my way.

11 Q. And then if we can click to page 6. And what does
12 Eghosa say to you?

13 A. Yo, I'm up here.

14 Q. You pull off that exhibit. I just want to quickly
15 make reference to a couple additional exhibits. Government's
16 Exhibit 31.

17 what is this?

18 A. This is a list of addresses.

19 Q. Who created it?

20 A. Me.

21 Q. Where was it sent? Were they sent anywhere?

22 A. Yes.

23 Q. Where?

24 A. To Jay.

25 Q. Where were these addresses located?

1 A. Lancaster, Pennsylvania.

2 Q. Exhibit 32. Are these addresses from your notes as
3 well?

4 A. Yes.

5 Q. Where are they located?

6 A. Delaware. Newark, Delaware.

7 Q. Exhibit 36. What is this?

8 A. Oh, this is a tracking of pick ups. A list of pick
9 ups.

10 Q. And Exhibit 37. What is this?

11 A. Another list of pick ups.

12 Q. At some point in time were you arrested?

13 A. Yes.

14 Q. Where were you when you were arrested?

15 A. New Castle, Delaware.

16 Q. What were you doing when you were arrested?

17 A. Picking up a package. Picking up packages.

18 Q. And at that point in time were you charged federally?

19 A. No.

20 Q. Were you charged?

21 A. Yes.

22 Q. Locally there?

23 A. Yes.

24 Q. Were you later charged federally?

25 A. Yes.

1 Q. And did you make a determination to plead guilty and
2 cooperate?

3 A. Yes.

4 Q. why?

5 A. Because -- just have responsibility.

6 Q. To whom?

7 A. To family and myself.

8 MR. DELANEY: Court's indulgence.

9 BY MR. DELANEY:

10 Q. Just for the benefit of the record, you identified
11 lists on Government's Exhibit 32, 36, and 37 --

12 A. Yes.

13 Q. -- of notes you kept on your phone?

14 A. Yes.

15 Q. Do you know what you did, if anything, with those
16 notes?

17 A. I sent them over to Jay.

18 Q. Thank you.

19 MR. DELANEY: No further questions at this time Your
20 Honor.

21 THE COURT: Thank you, Mr. Delaney.

22 Mr. Guillaume, would you like a little break before
23 you start your cross-examination?

24 MR. GUILLAUME: That would be fine, Your Honor. Thank
25 you.

1 THE COURT: All right. we'll take a little bit of a
2 break. You should not discuss your testimony with anyone, Mr.
3 Green, when you go out in the hallway, you stay by yourself.

4 And we'll take a ten-minute recess and we'll continue
5 on. we'll probably break for lunch 1:15, 1:20 or something.
6 We're going to take a late morning recess just before noon, so
7 we'll take a ten-minute recess. Thank you.

8 THE CLERK: All rise. The Court stands in recess.
9 (Jury out at 11:52 a.m.)

10 (Recess from 11:53-12:18 p.m.)

11 THE COURT: Go ahead and bring the jury back in.
12 Thank you.

13 By the way, counsel, Government Exhibit No. 10 is the
14 plea agreement as to Mr. Green.

15 MR. DELANEY: Yes.

16 THE COURT: Included in that plea agreement is a
17 stipulation and a statement of facts which does not necessarily
18 come in. So I just want to clarify that. I'll deal with that
19 later, in case, Mr. Guillaume, you're going to make reference to
20 it, the stipulation of facts and the statement of facts does not
21 come into evidence because of hearsay implications. So you're
22 free to cross-examine all you want but that won't be coming into
23 evidence.

24 MR. GUILLAUME: I didn't plan to talk about the
25 statement of facts.

1 THE COURT: I assume you all understand that but I
2 just want to make sure.

3 MR. DELANEY: Thank you, Your Honor.

4 THE COURT: So all those exhibits which were
5 referenced are in evidence, with the exception of Government's
6 Exhibit 10 that's limited in that fashion.

7 MR. DELANEY: Thank you.

8 (Jury entered courtroom at 12:20 p.m.)

9 THE COURT: Thank you all very much. And we're ready
10 to proceed here with the cross-examination of the witness.

11 You may be seated, Mr. Green.

12 Mr. Guillaume, cross-examination sir.

13 MR. GUILLAUME: Thank you. Thank you, Your Honor.

14 CROSS-EXAMINATION

15 BY MR. GUILLAUME:

16 Q. Good morning, sir.

17 A. Good morning.

18 Q. So, sir, I want to focus a little bit on what you said
19 a moment ago. I'm going to go a little out of order so forgive
20 me, but I want to focus first on something you mentioned a
21 moment ago. You -- would have been February of 2019 when my
22 client was arrested in Florida; is that correct?

23 A. Yes.

24 Q. Okay. And at that time you were living in Baltimore,
25 right?

1 A. I wasn't living there but I was there in Baltimore.

2 Q. Okay. You weren't living in Baltimore at all?

3 A. I wasn't living there, no.

4 Q. Okay. So okay, I'll come back to that in a second.

5 But prior to that February date, the early February of 2019, you
6 were unaware that the packages you were picking up involved an
7 elderly scam; is that correct?

8 A. Yes.

9 Q. You had never discussed that with anyone, including my
10 client, correct?

11 A. No.

12 Q. No?

13 A. No, I didn't discuss it with him. No.

14 Q. Right. Didn't discuss it with him, didn't discuss it
15 with Jay, didn't discuss it with Amaya, correct?

16 A. Correct.

17 Q. So you were, as far as you knew the money could have
18 come from any source to that point, correct?

19 A. Yes.

20 Q. And you -- when they were arrested -- he was arrested
21 with two other people; is that right?

22 A. Yes.

23 Q. Both of whom you know, correct?

24 A. Yes.

25 Q. Laveensky Lambert is one?

1 A. Yes.

2 Q. Also known as Mikey?

3 A. Correct.

4 Q. And Keion Smith, correct?

5 A. Yes.

6 Q. Keion Smith is from Baltimore, right?

7 A. Yes, he is.

8 Q. Right. And he had traveled to Florida at some point
9 presumably, correct?

10 A. Yes.

11 Q. Okay. He wasn't living there, right?

12 A. No.

13 Q. All right. And you are from Florida but were staying
14 in a variety of places including Baltimore; is that correct?

15 A. Yes.

16 Q. Okay. Now, you've referenced a conversation that you
17 had with Jay regarding what you had read in the newspaper; is
18 that right?

19 A. Yes.

20 Q. And this newspaper was in Florida, correct?

21 A. Yes.

22 Q. So you read an online version of that?

23 A. Yes, I did. Yes.

24 Q. Right. And at some point my client was detained. He
25 was actually locked up as a result of that, right, initially.

1 A. Yes.

2 Q. Then he was released at some point thereafter?

3 A. Yes.

4 Q. So we're talking February of 2019. Do you remember if
5 it was within the month of February or was it in March or after
6 when he was released, do you remember?

7 A. I believe it to be February, yes.

8 Q. Sometime later after the arrest date?

9 A. Yes.

10 Q. Okay. And you testified that you were still working
11 in the package operation at that time, right?

12 A. Yes.

13 Q. February -- in February of 2019, I want to be
14 specific. And your testimony was that my client, according to
15 you, was also working in that operation, correct?

16 A. Yes.

17 Q. Okay. Now, at some point you have a conversation.
18 You actually testified that you had two conversations with Jay,
19 right?

20 A. Two --

21 Q. Two separate conversations regarding what you had read
22 based on your -- the Florida arrest and based on your reading of
23 those newspaper articles, right?

24 A. Yes.

25 Q. First time Jay, you said, brushed you off; is that

1 right?

2 A. Correct.

3 Q. Second time you said Jay confirmed that the Florida
4 arrests were related to an elderly scheme is what -- the term
5 I'm going to use; is that right?

6 A. Yes.

7 Q. That was the first time you had heard it?

8 A. The first time he had confirmed, yes.

9 Q. And my client, you said, was present during that
10 conversation, right?

11 A. Yes.

12 Q. And he didn't -- my client didn't say anything, but
13 you said based on his body language you interpreted that he
14 knew; is that correct?

15 A. Yes.

16 Q. But he didn't say anything out of his mouth, correct?

17 A. Correct.

18 Q. Okay. And you guys had been friends very long time;
19 is that right?

20 A. Yes.

21 Q. In fact, you grew up together.

22 A. Yes.

23 Q. You knew his family? His brothers and sisters?

24 A. Yes.

25 Q. And you knew his mother.

1 A. Yes.

2 Q. Okay. You guys lived -- went to high school together.

3 A. Yes.

4 Q. And lived very close to one another growing up.

5 A. Yes, we did.

6 Q. Okay. Matter of fact, you had a hand in introducing
7 him to his wife; is that right? Through a mutual friend.

8 A. You're saying -- I'm sorry.

9 Q. Did you have a hand in introducing my client to his
10 current wife?

11 A. No.

12 Q. Through a mutual friend of yours?

13 A. No, I didn't have a hand in that.

14 Q. Okay. But you do know her. You do know his wife
15 though, right?

16 A. Yes.

17 Q. Now, you know, at some point around this time frame
18 you -- and you were friends with him -- let's be clear. You
19 were friends with him, him being my client, you were friends
20 with him throughout. You've never stopped being friends, right?

21 A. No, we never stopped being friends.

22 Q. Okay. Current situation set aside, but you were -- at
23 that time you were friends and you've known him his whole life,
24 or pretty much most of his life, right?

25 A. Yes. Yes.

1 Q. Right. So you were aware that he got married, right?
2 He has a wife, yes?

3 A. Yes. Yes.

4 Q. Right. So he married a woman, yes?

5 A. Yes.

6 Q. Okay. And he was living with that woman in Chester,
7 Pennsylvania at some point, right?

8 A. Yes.

9 Q. Okay. And you were aware of this.

10 A. Correct.

11 Q. Okay. And did you -- I think you've gone by the house
12 before, right?

13 A. Yes, I have.

14 Q. He actually moved from Florida to live in this part of
15 the country, right?

16 A. Yes.

17 Q. Okay. Because his wife was not from Florida, is she?

18 A. No.

19 Q. She's from Baltimore, right? Or Maryland.

20 A. Not sure. I know she's from this area, yes.

21 Q. Okay. And you're not from here so you're not
22 necessarily familiar with all the different areas, right?

23 A. Correct.

24 Q. Okay. And you're aware that at one point my client
25 was working with Peloton and tried to recruit you to work with

1 Peloton, or recruit you to work at Peloton with him around the
2 same time frame; is that right?

3 A. I'm sorry, Peloton.

4 Q. Peloton the company. Have you heard of it?

5 A. Yes. The workout witness machines, yeah.

6 Q. Right. Were you aware that my client was working for
7 Peloton at one point?

8 A. At some point, yes.

9 Q. Right. Would it have been around this time, this time
10 frame we've been discussing that you talked about previously on
11 direct examination?

12 A. Is this the February date?

13 Q. Not necessarily the February date, but in the general
14 timeframe that we've been referencing. I guess September 2018
15 to February 2019 dates have been specifically discussed, in the
16 victim -- March 2019 thereafter. Those have been the dates that
17 have been discussed.

18 A. I don't remember honestly. I don't remember where he
19 was working at. As far as the time frames, I don't remember.

20 Q. But you do know --

21 A. I remember him working at Peloton, yes.

22 Q. That was my question. It's been a while.

23 Sir, at some point in March of 2019, you were
24 arrested; is that correct?

25 A. Yes.

1 Q. Okay. And that was in the state of Delaware, right?

2 A. Yes, it was.

3 Q. Okay. You were arrested. You were not alone when
4 were you arrested, correct?

5 A. No, I was not.

6 Q. You were -- you've already testified that you were
7 working package pick ups, right?

8 A. Yes.

9 Q. And at this time you were aware that -- of the source
10 of the money in the packages, right?

11 A. Yes.

12 Q. Okay. And you were actually working with another
13 person named Kyrie Oliver; is that right?

14 A. Yes.

15 Q. Kyrie Oliver, at the time, was a juvenile, right?

16 A. Yes, he was.

17 Q. And he's from Baltimore, right?

18 A. Correct.

19 Q. He actually is a relative of a woman you were dating
20 in Baltimore, right?

21 A. Yes.

22 Q. And her name is Norel; is that correct?

23 A. Yes.

24 Q. And you actually not only were you dating her you were
25 living with her; is that right?

1 A. Yeah. Yes.

2 Q. Right. So you recruited her relative, Mr. Oliver, who
3 was a juvenile at the time in 2019, to help you with your
4 package pick ups; is that right?

5 A. Yes.

6 Q. And at that time, in March of 2019, a lot of people
7 you had previously worked with were not working in the package
8 pick up operation anymore; is that correct?

9 A. I'm sorry, say again.

10 Q. So a lot of the people, in March of 2019 when you were
11 arrested in Delaware with Mr. Oliver.

12 A. Right.

13 Q. A lot of people who you had previously worked with,
14 that you had mentioned, you said my client was working with but
15 I'll leave that for another set of questions. I'm talking about
16 Mr. Lambert, Mr. Smith, Keion Smith, those folks were not -- no
17 longer working with you; is that correct?

18 A. No. Yeah, that's correct.

19 Q. Okay. Now, you were working under the direction of
20 Jay; is that correct?

21 A. Yes.

22 Q. And Jay's not -- Jay's not his real name; is that
23 right?

24 A. Yeah, that's not his real name.

25 Q. You didn't -- at the time did you know what his real

1 name was in March of 2019?

2 A. I never ever found out what his real name was.

3 Q. But you -- it's been referenced in your direct
4 testimony the name Medard Ulysse, does that sound familiar?

5 A. who?

6 Q. Medard Ulysses?

7 A. I've only heard that name up until just now.

8 Q. And who do you understand that name to be?

9 A. I don't know whose name that is.

10 Q. Okay. Could I see Government's Exhibit 4.

11 MR. GUILLAUME: Court's brief indulgence.

12 BY MR. GUILLAUME:

13 Q. Showing you for the record what's been previously
14 admitted as Government Exhibit No. 11. This, in fact, is the
15 person you referred to as Jay. You identified him a couple
16 times; is that right?

17 A. Yes.

18 Q. And there was testimony a moment ago about a nickname,
19 Milk Dud head or something like that.

20 A. Yes.

21 Q. That was the name that was called -- people called him
22 behind his back.

23 A. Correct.

24 Q. Okay. And the -- one of the reasons would be for
25 calling him behind his back is because you learned through your

1 time with Jay he had a very violent temper; is that correct?

2 A. Yes.

3 Q. He physically abused people, correct?

4 A. Not that I witnessed, but yes.

5 Q. Okay. You heard about stories of him hurting people;
6 is that correct?

7 A. Correct.

8 Q. In fact, you testified, I believe, that when you met
9 with him you didn't complain about getting shortchanged on the
10 money you were owed because you didn't want any problems; is
11 that right?

12 A. Correct.

13 Q. Is it fair to say that Jay is a very intimidating
14 person?

15 A. Yes.

16 Q. In fact, he beat Charlemagne or Zo; isn't that
17 correct?

18 A. I didn't witness that.

19 Q. Okay. You were not there for that.

20 A. I was not there for that.

21 Q. Did you just hear about it?

22 A. Yes.

23 MR. GUILLAUME: You can take the exhibit down. Thank
24 you.

25 BY MR. GUILLAUME:

1 Q. And Jay was the person who was running this
2 organization; is that right?

3 A. Yes.

4 Q. Okay. He made payments to people that were working
5 under him?

6 A. Yes.

7 Q. Such as yourself?

8 A. Correct.

9 Q. My client, and anyone else; is that correct?

10 A. Yes.

11 Q. Okay. And he paid in cash, right?

12 A. Yes, he did.

13 Q. Okay. So I want to talk a minute, going back to the
14 timeline of your arrest and everything. I want you to refocus
15 back on March 2019 when you were arrested in Delaware.

16 The circumstances of that arrest were that you were
17 trying to get a package from a home and the homeowner -- you and
18 the homeowner had some sort of interaction; is that fair to say?

19 A. Yes.

20 Q. And then the homeowner called police and the police
21 showed up. The police showed up to the scene.

22 A. Yes.

23 Q. And you were subsequently arrested.

24 A. Yes.

25 Q. Okay. You gave a statement to the police at the time

1 that wasn't true, right? About what was in the contents of the
2 package and that it was your package?

3 A. Yes.

4 Q. Okay.

5 A. Correct.

6 Q. But that wasn't true, was it?

7 A. It was not true.

8 Q. Okay. And then you were arrested on the scene; is
9 that right?

10 A. Yes.

11 Q. And were brought to jail in Delaware.

12 A. Yes.

13 Q. Okay. I'd like to draw your attention to Government's
14 39, please.

15 MR. GUILLAUME: Court's brief indulgence.

16 THE COURT: Certainly.

17 BY MR. GUILLAUME:

18 Q. Sir, if you could just listen to this call. I'm going
19 to ask you to listen to a few seconds of it. I'm going to stop
20 and then I'm going to ask you some more questions and then I'm
21 asking to ask you about it again, okay?

22 Could I have Government's 39, please.

23 (Phone call was played.)

24 BY MR. GUILLAUME:

25 Q. Sir, do you recognize the voices of that recording?

1 A. Yes.

2 Q. who -- who is talking?

3 A. Me and the mother of my son.

4 Q. Okay. And her name is -- you've already said Tequila,
5 right?

6 A. Yes.

7 Q. If we could continue with Government's 39 for a few
8 moments.

9 (Phone call played.)

10 Q. Sir, that's, in fact, the call was made the day were
11 you arrested; is that true?

12 A. Yes.

13 Q. Okay. And you're looking for someone to bail you out
14 of jail, right?

15 A. Yes.

16 Q. It's fair to say you did not like being there.

17 A. Yes.

18 Q. Where you were at the time.

19 A. Correct.

20 Q. And you asked your girlfriend, whose I guess the
21 mother of your child.

22 A. Correct.

23 Q. You asked her to call my client; is that correct?

24 A. Yes.

25 Q. Because he's your friend, right?

1 A. Yes.

2 Q. You've known him a long time.

3 A. Yes.

4 Q. Right. And you trust him.

5 A. At the time, yes.

6 Q. Now, sir, your girlfriend at that time did not know
7 you had this other relationship in Baltimore with Ms. Norel, did
8 she?

9 A. No.

10 Q. And she -- does she know now?

11 A. Yes.

12 Q. Okay. So you're not with Ms. Norel anymore you're
13 with your child's mother?

14 A. No. Neither.

15 Q. Okay. So you were in a relationship, long distance,
16 but had another relationship at the same time during that time;
17 is that correct?

18 A. Yes.

19 Q. And you would stay in on the East Coast, Northeast --
20 I'm going to refer to Maryland on up as the Northeast,
21 Mid-Atlantic, for weeks and months at a time during -- from that
22 timeframe of say September 2018 to March of 2019 when that call
23 was made; is that correct?

24 A. Correct.

25 Q. Okay. And, in fact, you were released from custody in

1 Delaware; is that right?

2 A. Yes.

3 Q. And there was -- as Mr. Delaney said a moment ago, it
4 was a state charge, right?

5 A. Yes, it was.

6 Q. You were not charged federally?

7 A. I wasn't.

8 Q. But eventually you were charged federally; is that
9 correct?

10 A. Yes, I was.

11 Q. Do you remember the timing of that? would that have
12 been December of 2019 when you got -- learned you had a warrant
13 for your arrest in federal court?

14 A. Yes.

15 Q. Okay. Do you remember being notified by the FBI that
16 you had to turn yourself in?

17 A. Yes.

18 Q. And that would have -- I know you probably don't
19 remember the approximate date, but you didn't turn yourself in
20 immediately, did you.

21 A. Say again.

22 Q. I know you probably don't remember the exact date of
23 when that call was or when you received that information about
24 your arrest, but you did not turn yourself in immediately,
25 correct?

1 A. Correct.

2 Q. I want to say at least three to four days passed
3 before you actually turned yourself in, right?

4 A. Yes.

5 Q. And that's not because the FBI said you could take
6 that long, that's just how long it took you to turn yourself in;
7 is that right?

8 A. Yes.

9 Q. So you are arrested eventually, and you have federal
10 charges. You haven't been convicted of anything at that point,
11 you haven't pled guilty to anything at that point immediately
12 after, the month or so after you got charged federally, right?

13 A. Can you rephrase?

14 Q. Yes, that was a poorly phrased question. I'm going to
15 take it step by step.

16 when you got charged federally, the charges stemmed
17 from what you did in this part of the country; is that correct?
18 As well as in other parts but primarily here, correct?

19 A. And you're talking about federal charge?

20 Q. Here in Maryland. I'm sorry.

21 A. Yes.

22 Q. Okay. So presumably you were -- you had a lawyer
23 representing you on those federal charges in Maryland, right?

24 A. I'm not understanding.

25 Q. Did you get a lawyer once you got the charges in

1 federal court?

2 A. In this -- I'm just trying to understand the time.
3 Are you talking about after I was arrested federally in Florida?

4 Q. Right.

5 A. Because I turned myself in in Florida.

6 Q. Right.

7 A. And after a certain amount of time I was transferred
8 up here.

9 Q. Right. And you got a lawyer when you got here, right?

10 A. Yes.

11 Q. You've always had a lawyer representing you since
12 you've been in federal court in Maryland. I know were you
13 physically located in Florida at the time of the arrest warrant,
14 but you were brought back here, as you said, and you always had
15 a lawyer at all stages, correct?

16 A. As far as the federal charges, yes.

17 Q. Right. Only talking about the federal charges.

18 A. Okay.

19 Q. Right. And sometimes, shortly thereafter, you decided
20 to speak with the government, the prosecutor in this case; is
21 that correct?

22 A. Yes.

23 Q. Okay. You spoke with them a number of times, right?

24 A. Yes.

25 Q. First time would have been March of 2020; does that

1 sound about right?

2 A. Yes.

3 Q. Okay. And at that meeting you -- I'm presuming your
4 lawyer attended the meeting, is that correct, with you?

5 A. Yes.

6 Q. And you gave information about yours and other peoples
7 involvement in the package pick up case, correct?

8 A. Yes.

9 Q. Okay. And, in fact, you Mr. Delaney asked you about
10 what's called a minimization. You said you minimized my
11 client's role, or weren't completely truthful about his
12 participation during that first meeting, or during a meeting. I
13 don't know if it was the first or the second, but at some point,
14 that is true, correct?

15 A. You're asking me if during the first meeting or the
16 meetings that -- where I minimized his involvement?

17 Q. Correct.

18 A. Yeah, I did. Yes.

19 Q. Okay. Because at that time my client was not charged
20 with any federal crime, correct?

21 A. Correct.

22 Q. Okay.

23 A. Not to my knowledge, but yeah.

24 Q. Not to your knowledge at that time. In fact, you had
25 maintained communication with him after you got arrested, right?

1 A. Yeah.

2 Q. Federally.

3 A. For a short time, yes.

4 Q. And you let him know, hey, I have these charges and
5 here's what I'm considering doing. You had these discussions
6 with him, correct?

7 A. Honestly, I don't remember. I'm trying to figure out
8 what you're asking me. You're asking me if I had conversations
9 about what I would do?

10 Q. Let me ask it to you this way. Without saying what
11 you were going to do or not going to do, after you received your
12 federal charges in Maryland you still talked to my client, your
13 friend, right?

14 A. Yes.

15 Q. Okay. And you met with the government in March of
16 2020, and then you met with them again a few months later, would
17 that have been October of that same year? October of 2020, does
18 that sound right?

19 A. Yes.

20 Q. Okay. And you gave information both times as to yours
21 and other people's involvement.

22 A. Correct.

23 Q. And when asked on direct examination about why you did
24 certain things, why you pled guilty, I think that was the
25 question, or a similar type of question, your response was you

1 owed it to your family; is that right?

2 A. And myself, yes.

3 Q. Right, and yourself. Because obviously, Mr. Green,
4 you don't want to go to jail for any long period of time or any
5 time; is that correct?

6 A. You could say that, yes.

7 Q. All right. And some time thereafter you entered into
8 an agreement to plead guilty, right?

9 A. Yes.

10 Q. Now, you've -- again, you've had a lawyer the entire
11 time, there's been no break with you and your lawyer. You've
12 been represented since those -- during those meetings and since,
13 correct?

14 A. Yes.

15 Q. So you had the advice of counsel at every stage,
16 right?

17 A. Yes.

18 Q. Right. So you pled guilty to certain crime as we saw,
19 and I'll reference your plea agreement in a moment, but you
20 also, in addition to pleading guilty, agree to cooperate with
21 the government; is that right?

22 A. Yes.

23 Q. Become a government witness, correct?

24 A. Yes.

25 Q. And as Mr. Delaney pointed out to you, there's certain

1 requirements that had to be met. Most importantly that have you
2 to tell the truth, right?

3 A. Yes.

4 Q. Right. And your understanding as you testified to, is
5 that the judge determines what, if any, sentence reduction
6 you'll receive, right?

7 A. Yes.

8 Q. And -- but the judge can't do anything without the
9 government approval; is that correct? Is that your
10 understanding? The government has to make the recommendation.

11 A. Correct. Yes.

12 Q. Okay. And Mr. Green, you met the government in an
13 interview setting approximately three or four times. Does that
14 sound about right?

15 A. Yes.

16 Q. Okay. Recently, in preparation for this case I'm
17 sure, and then back -- back in 2020?

18 A. Yes.

19 Q. Okay. And you did not testify in front of a grand
20 jury; is that correct?

21 A. No, I did not.

22 Q. Okay. So once you were arrested in March of 2019 in
23 Delaware, you have a few months before you're charged federally,
24 you're not incarcerated during that time, correct?

25 A. Correct.

1 Q. You're back living in Florida, right?

2 A. Yes.

3 Q. Did you ever return back up north after that time?

4 A. After I was arrested?

5 Q. Right.

6 A. No.

7 Q. You stayed down in Florida?

8 A. I stayed down in Florida.

9 Q. And while you're in Florida are you working?

10 A. Yes.

11 Q. Okay. And then you get a call from the FBI saying
12 that there's been a warrant -- there is a warrant for your
13 arrest; is that right?

14 A. Yes.

15 Q. Now, if we can pull up --

16 MR. GUILLAUME: Court's brief indulgence.

17 BY MR. GUILLAUME:

18 Q. -- Government's Exhibit No. 10. Okay.

19 Sir, I'm showing you for the record what's marked as
20 Government's Exhibit 10. And you recognize this document?

21 A. Yes.

22 Q. This, in fact, is the plea agreement that you entered
23 into with the government, correct?

24 A. Yes.

25 Q. It's got a lot of different pages. This is the cover

1 page, right?

2 A. Yes.

3 Q. And I'd like to go to the second page, please.

4 Mr. Kerrigan, can you, on the count in that box there, can you
5 enlarge that, please? For the count, the statute and
6 everything.

7 This document explains a number of things. One of
8 which is the potential maximum prison time you will face in this
9 case; is that correct?

10 A. Correct.

11 Q. And sir, what is your understanding as to the maximum
12 time by law that could be imposed in this case?

13 A. Twenty years.

14 Q. Okay. And that's noticed right here in the agreement;
15 is that correct?

16 A. Yes.

17 Q. Okay. Thank you. You can take that down. Thank you.

18 Sir, I want to talk to you about your trips that
19 you've testified to and get into a little bit more detail if I
20 could. Your first time traveling to this area was in September
21 of 2018, correct?

22 A. Yes.

23 Q. And you flew to BWI but you did not work in Baltimore,
24 you worked in D.C.; is that right?

25 A. That's right.

1 Q. Okay. And actually, I'm sorry, before we talk about
2 that I want to just clarify something. That first package that
3 you did in Florida, that you testified about in your
4 grandmother's neighborhood.

5 A. Yes. What about it?

6 Q. That day, when you got that package and you didn't get
7 the money that you were supposed to, you met with Zo and then
8 Jay as well, right? Or just with Jay?

9 A. Are you asking me if that day when I received the
10 package if I met with Zo and Jay. Yes, I met Zo earlier and Jay
11 later, yes.

12 Q. And the purpose of meeting Zo was to just tell him
13 that it had been completed?

14 A. Wait. Yeah, from him my understanding he wanted to
15 confirm the package.

16 Q. Okay. So Zo was -- was Zo on the same level as Jay?

17 A. From what I observed, yes.

18 Q. So Zo and Jay wasn't like you, my client, or other
19 people like Keion and Lambert, right?

20 A. Right.

21 Q. Zo was on a different level. So I'm sorry. Going
22 back to -- going back to the trip to D.C. And that's when you
23 met for the first time Amaya English; is that right?

24 A. Yes.

25 Q. And she actually, you learned, was Jay's girlfriend;

1 is that right?

2 A. Yes.

3 Q. And he was very protective of her, wasn't he?

4 A. Yes, I could say that. Yes.

5 Q. He didn't like her talking to other men, things like
6 that. Controlling is the word I'm going to use; would you agree
7 to that?

8 A. Yeah, I could agree to that.

9 Q. But Amaya was the one giving out orders in D.C.; is
10 that correct?

11 A. Yes.

12 Q. She gave instructions to both you and my client,
13 right?

14 A. Yes.

15 Q. And you were to inform Amaya or Jay when you picked up
16 packages, correct?

17 A. Yes.

18 Q. Okay. And my client did the same, right?

19 A. Yes.

20 Q. Okay. And I just want to get into a little bit about
21 this application you talked about, wickr. It's an application
22 that could be downloaded on a phone, like on a smart phone; is
23 that right?

24 A. Yes.

25 Q. But it's a secure application, is it not?

1 A. Meaning?

2 Q. Secure meaning that it's encrypted. Do you know
3 whether it's encrypted?

4 A. No.

5 Q. Well, I'll ask you this question this way. What did
6 you understand Wickr's capabilities to be and why did you use
7 it?

8 A. Initially, I didn't -- I never heard of it. I was
9 told to use it by Eghosa because that after a certain amount of
10 time the messages would delete themselves.

11 Q. And did you, in fact, use it?

12 A. Yes, I did.

13 Q. And was that true, did the messages delete themselves
14 that you sent?

15 A. Yes, they did.

16 Q. When you were charged in this case and began
17 cooperating with the government, did you ever voluntarily turn
18 your phone over at any time to them, to the government?

19 A. Yes.

20 Q. And going back to the D.C., the time you were here in
21 D.C. You said you're here three to seven days, more or less
22 that first time?

23 A. Yes.

24 Q. And how much money did you make, can you remember?

25 A. After leaving D.C. I received \$1,500. Just before

1 leaving D.C. I received \$1,500.

2 Q. From Jay?

3 A. From Jay.

4 Q. Okay. And he gave that to you personally, put the
5 money in your hand.

6 A. Yes.

7 Q. Okay. And then you continued to work up until the
8 time that you were arrested in Delaware, right?

9 A. Yes.

10 Q. Now, when you were -- when you would come back from
11 Florida you would stay for varying times; is that correct? From
12 a month to a week, it just depends, right?

13 A. Yes.

14 Q. And my client wasn't always with you; is that right?
15 He wasn't always here the same time you were here.

16 A. Correct.

17 Q. And the typical work week for you when you were
18 working, what was it?

19 A. Are you --

20 Q. What days would you work?

21 A. Are you referring to the packages?

22 Q. Correct.

23 A. Tuesday to Saturday, if I'm remembering correctly.

24 Q. Okay. So basically Tuesday to Saturday is then you
25 did the bulk of the work?

1 A. Right.

2 Q. And you said there were times when my client was not
3 with you, you guys weren't together. You were working and he --
4 you were working somewhere, he could be wherever, you don't know
5 where he is; is that right?

6 A. Yes.

7 Q. Okay. You testified about going to New York. How
8 many times total would you say you went to New York?

9 A. In general, just going to New York?

10 Q. Going to New York as part of this operation. Sorry,
11 let me be very specific.

12 A. I want to say anywhere from like -- anywhere between 5
13 to 10 times.

14 Q. And are these times that you went into different
15 buildings those five to ten times, or just that you were present
16 in New York in connection with this, one way are the other?

17 A. The latter.

18 Q. The latter being you weren't always going inside the
19 building?

20 A. I didn't always go inside the building, no.

21 Q. How many times did you go inside the building during
22 those ten times?

23 A. Maybe five times. Four or five times.

24 Q. And isn't it true that you always go into the building
25 by yourself, never with someone else; is that right?

1 A. No, it wasn't always like that.

2 Q. Sometimes you went in --

3 A. Sometimes I would go in by myself, sometimes I was
4 accompanying someone else.

5 Q. Okay. And going back to this, there's rules that you
6 became aware of pretty early on when you started working this
7 operation, right?

8 A. Yes.

9 Q. That you had to follow.

10 A. Yes.

11 Q. Now, you've written a lot of notes, and those are
12 notes that were written in your personal phone; is that right?

13 A. Yes.

14 Q. And you wrote those notes to yourself, so essentially
15 you could keep track of monies that you were owed?

16 A. Yes.

17 Q. Okay. And some of those notes you wrote were
18 addresses that you were scouting out to provide to Jay, right?

19 A. Yes.

20 Q. Now, Jay would take addresses -- actually, Jay paid
21 people more money if they could give him addresses to use; is
22 that right?

23 A. Yes.

24 Q. Okay. And so anybody could do it but -- and it was
25 always given -- the information was always given to Jay. Any of

1 the workers could do it is what I'm saying.

2 A. Yes.

3 Q. And during your time with this package pick up stuff,
4 there were lots of different people who would come and go, some
5 of whom you knew and some of whom you didn't know; is that
6 correct?

7 A. Yes.

8 Q. And during the actual pick ups of packages, isn't it
9 true that Jay sometimes would sent multiple people to the same
10 location to have coverage for that particular package?

11 A. I don't understand what -- sorry. You're asking me --

12 Q. I'll rephrase the question. I'll ask it a different
13 way. When you received information from Jay about where to
14 go --

15 A. Right.

16 Q. -- to your knowledge, do you know if Jay would provide
17 that information it, that same pick up information to multiple
18 different persons?

19 A. By saying -- you mean the same address?

20 Q. The same address, correct.

21 A. No. To my knowledge, no, I don't remember.

22 Q. So it was one person, as far as you know, one person
23 for each location?

24 A. Yes.

25 Q. Okay. And there were times when you -- there were

1 times though when were you not by yourself, is that correct,
2 when you picked up packages?

3 A. Yes.

4 Q. Now, going back to kind of the structure of things,
5 there was a rule that you learned early on that was not to open
6 the packages correct?

7 A. Correct.

8 Q. And that came from Jay and Amaya, right?

9 A. Yes.

10 Q. And Zo -- did Zo also let that be known to you as
11 well?

12 A. Yes.

13 Q. So you didn't -- you obeyed that order, right?

14 A. Yes.

15 Q. And you never saw anyone of the people on your level
16 disobeying the order, particularly my client, right?

17 A. Yes.

18 Q. Now, the packages that came, when you first got
19 involved with this, they were in varying sizes, correct? Some
20 small, some large?

21 A. Yes.

22 Q. And they all weighed -- they would weigh presumably
23 different amounts, like the actual weight of the packages.

24 A. Yes.

25 Q. And you also turned those packages over to Jay; is

1 that right?

2 A. I wouldn't always to Jay, but for the most part, Jay.
3 Amaya.

4 Q. Now, you never called anyone pretending to be somebody
5 else, did you?

6 A. No, I did not.

7 Q. You never witnessed my client calling anyone,
8 pretending to be anybody else?

9 A. No, I did not.

10 Q. Did you ever see anybody calling and pretending to be
11 anybody else that you worked ed with at the time?

12 A. No, I did not.

13 Q. Okay. And when you communicated with Jay would it be
14 regular text message, wickr, or both?

15 A. Wickr.

16 Q. Okay. So always on wickr with Jay.

17 A. Always on wickr with Jay.

18 Q. But when you communicated with my client wasn't with
19 exclusively through wickr; is that right?

20 A. Correct.

21 Q. Because you guys have known each other for a really
22 long time, correct?

23 A. Correct.

24 Q. Okay. And during the course of your time working,
25 isn't it true that you came to understand that Jay had people

1 above him; is that correct?

2 A. It wasn't confirmed, it was more of a theory, but we
3 kind of just -- drew that conclusion, yes.

4 Q. The workers drew that conclusion. Or you drew that
5 conclusion.

6 A. Yeah.

7 Q. Okay.

8 MR. GUILLAUME: Court's brief indulgence.

9 THE COURT: Take your time.

10 BY MR. GUILLAUME:

11 Q. Sir, are you aware of when my client was, in fact,
12 charged federally in connection with this case, if you're aware?

13 A. No. I don't know when. I don't know when. Is that
14 what you're asking me?

15 Q. You don't know when?

16 A. I don't know the when.

17 Q. Okay. But you know it was after you were, correct?

18 A. Yes.

19 Q. Okay. And sir, I just want to make one thing very
20 clear, I want to understand. None of the other people that were
21 in the home, or the places that you stayed during the course of
22 your employment with the this operation, none of those other
23 people talked about the source of -- or what was in the
24 packages, and if they did know money was there the source of the
25 money. So that's actually two different questions there but --

1 A. Okay. So no one spoke about it.

2 Q. Nobody.

3 A. Nobody spoke about it.

4 Q. So you were shown a message -- I think is Government's
5 Exhibit 28. If you could pull that up, please -- of an address.
6 Is this the one with the address in New York? 25, I'm sorry.
7 Mr. Kerrigan, can we highlight the address in the blue, please.
8 Oops.

9 Sir, this is something that you were shown on direct
10 examination --

11 THE COURT: What exhibit is this?

12 MR. GUILLAUME: I'm sorry. This is Government Exhibit
13 28.

14 THE COURT: All right. Thank you.

15 BY MR. GUILLAUME:

16 Q. This is an address that was shown to you by
17 Mr. Delaney a few moments ago and you mentioned that the suite
18 number was, I believe the word you used, throwing you off or
19 threw you off?

20 A. Yes.

21 Q. Okay. You testified that you went to the 13th floor
22 of a building in New York?

23 A. Yes.

24 Q. And that was always the same location?

25 A. Yes, it was always the 13th floor.

1 Q. Okay. And this location here is not the location; is
2 that correct?

3 A. Yeah. I believe -- correct.

4 Q. It's not. Okay. And the suite number is definitely
5 not on the 13th floor, according to what's listed here; is that
6 right?

7 A. Correct.

8 Q. Thank you. I don't need to see it anymore. Thank
9 you.

10 Sir, how soon did you start opening packages in this
11 operation? If you started in September, when is the first time
12 you're opening a package and doing like you did -- that we saw
13 in the video? When does that happen?

14 A. I don't remember the actual date or time, the specific
15 time.

16 Q. Would it have been immediately upon working, or would
17 it have been working a few months or --

18 A. It was a couple months.

19 Q. It was a couple as in two or--

20 A. Yeah, two months. Two maybe.

21 Q. And sir, just a couple more questions. With respect
22 to the trip that you testified to about in Philadelphia and New
23 Jersey, the Philadelphia trip, do you remember if Raven was
24 present during that trip? An individual by the name of Raven?
25 She also working in -- working during that trip as part of this

1 package scheme?

2 A. That name sounds a familiar.

3 Q. Is Raven a friend of yours?

4 A. No.

5 Q. In New Jersey there's Mr. Delaney mentioned someone by
6 the name Sooraji. And you said that you understood that Jay had
7 brought that person into the -- into the package organization;
8 is that right?

9 A. Yes.

10 Q. Okay. But Sooraji did not work out; is that right?

11 A. Yes.

12 Q. He didn't work out because he you didn't get along
13 with lots of people; is that correct?

14 A. Correct.

15 Q. Including you and including my client, right?

16 A. Yes.

17 Q. In New Jersey you talked about the fact that
18 Charlemagne or Zo took over for Jay; is that correct?

19 A. Correct.

20 Q. All right. And that Jay was missing for awhile; is
21 that right?

22 A. He was -- Jay -- this is -- I'm a little confused on
23 the timeframe in which you're asking it.

24 Q. I'll withdraw that question and just say -- ask it
25 this way. And this will my last question, or one of my last

1 questions, it's not my last.

2 THE COURT: It's always dangerous to say that, Mr.
3 Guillaume.

4 MR. GUILLAUME: Yes, that's why I corrected myself.
5 BY MR. GUILLAUME:

6 Q. With respect to Charlemagne taking over, I want you to
7 just -- I just want to narrow in on the fact that what that
8 means. That means, I'm assuming, that you then reported to him
9 as opposed to Jay, and he took over the things like paying
10 people and that sort of stuff; is that right?

11 A. Yes.

12 Q. Okay. Thank you.

13 MR. GUILLAUME: No further questions.

14 THE COURT: Thank you very much, Mr. Guillaume.
15 Any redirect, Mr. Delaney?

16 MR. DELANEY: Yes, Your Honor. And I think we can
17 finish it before the lunch break.

18 THE COURT: That's fine.

19 REDIRECT EXAMINATION

20 BY MR. DELANEY:

21 Q. Mr. Green, you were asked on cross-examination if you
22 wanted to go to jail. The answer to that is?

23 A. No.

24 Q. No. Does the government make the decision if you go
25 to jail or not at the end of this?

1 A. No, they don't.

2 Q. Who makes the determination?

3 A. The judge.

4 Q. You were asked, as far as you know, whether the money
5 prior to February 2019, if the money in the package could have
6 come from, quote, any source. And you testified on direct that
7 you didn't ask what was in the package, right?

8 A. Correct.

9 Q. Why?

10 A. Because I knew it wasn't legal. It wasn't aboveboard.

11 Q. And this you were given instructions prior to February
12 2019 about the contents of the package, right?

13 A. Yes.

14 Q. Prior to you being given the ability to open the
15 package, what were the instructions given to the people about
16 the contents of the package?

17 A. To not open the package.

18 Q. You testified on direct that you and Eghosa were
19 ultimately allowed to open the package; is that right?

20 A. Yes.

21 Q. What about Keion? Did Keion get to open the package?

22 A. No.

23 Q. What about Sooraji? Did Sooraji get to open the
24 package?

25 A. No.

1 Q. what about Mikey Lambert, did he?

2 A. No.

3 Q. You were asked a question about when Eghosa was
4 released from custody, whether it was February or March to get
5 the timing down, right?

6 A. Right.

7 Q. Let's go to Government's Exhibit 25, page 11. Pulling
8 up this. The statement from that, I believe you testified, is
9 from Keiarah. what is it?

10 A. Released. He called me.

11 Q. And your response?

12 A. Yeah, Jay told me.

13 Q. The date?

14 A. February 10th, 2019.

15 Q. Thank you.

16 Putting up Government's Exhibit 27.

17 Is that a communication between you and Ghost?

18 Turning to page 2.

19 what are these series of numbers and letters?

20 A. A tracking number.

21 Q. And the date?

22 A. March 23rd, 2019.

23 Q. Thank you. You were asked some questions about where
24 Ghose's wife was from; is that right?

25 A. I'm sorry, excuse me?

1 Q. You were asked about some questions about where the
2 defendant's wife was from?

3 A. Yes.

4 Q. And you testified that she was from the area --

5 A. Yes.

6 Q. -- generally?

7 when you traveled with the defendant to the
8 Baltimore-D.C. area, did you travel here to visit his wife or
9 then girlfriend?

10 A. No.

11 Q. What was the purpose of your travels with the
12 defendant to this area?

13 A. To retrieve packages. To continue to retrieve
14 packages.

15 Q. Government's Exhibit 28, page 5. Let's look at the --
16 let's look at the date of these conversations. What is the
17 date?

18 A. March 25th, 2019.

19 Q. Do you know what happened the day after this? Do you
20 remember?

21 A. I believe this is the time I was arrested.

22 Q. Okay. What -- what were you texting about here the
23 day before you were arrested with the defendant? Regardless of
24 the specific location, what was this -- what were these text
25 about?

1 A. A drop.

2 Q. What kind of drop?

3 A. The drop for -- the drop of the money.

4 Q. The money from the scheme?

5 A. The money from the scheme, yes.

6 MR. DELANEY: Nothing further, Your Honor.

7 THE COURT: Thank you very much, Mr. Delaney. There's
8 no recross, is there Mr. Guillaume?

9 MR. GUILLAUME: Court's brief indulgence, Your Honor.

10 THE COURT: Okay. Sure.

11 MR. GUILLAUME: No further questions. Thank you.

12 THE COURT: All right. Thank you very much.

13 Mr. Green, you may step down, sir. You should not
14 discuss your testimony with anyone until this trial concludes in
15 the event you're called back to the witness stand. And there is
16 a sequestration order. So you should not be discussing your
17 testimony with anyone until this case is over.

18 THE WITNESS: Okay.

19 THE COURT: Thank you very much. You're excused.

20 THE WITNESS: Thank you.

21 (David Green was excused at 1:09 p.m.)

22 THE COURT: With that, we'll take our lunch recess.
23 It's now ten after one. We'll break for lunch until ten minutes
24 after two, and we'll start promptly with the third government
25 witness promptly ten after two.

1 Thank you very much.

2 THE CLERK: All rise. This Court stands in recess.

3 (Jury exited the courtroom at 1:09 p.m.)

4 (Recess was taken from 1:10-2:21 p.m.)

5 THE COURT: We're ready to bring the jury back in.

6 Next witness will be, Mr. Delaney?

7 MR. DELANEY: Mary Beitman.

8 (Jury in at 2:23 p.m.)

9 THE COURT: Good afternoon, everyone. Sorry to keep
10 you waiting for a few minutes. I got stuck back in something in
11 chambers that I had to give my attention too. My apologies.
12 We're starting about ten minutes late and I apologize.

13 with that, Mr. Delaney, the next witness.

14 MR. DELANEY: The next witness is Mary Beitman.

15 THE COURT: Ms. Beitman, if you would come over here
16 and be sworn. Thank you very much.

17 THE CLERK: Please remain standing and raise your
18 right hand for me please.

19 (MARY BEITMAN, duly sworn.)

20 THE CLERK: while speaking clearly into the microphone
21 can you state your full name and tell us your last name for the
22 record?

23 THE WITNESS: My name is Mary Beitman. And my
24 spelling of my last name is B-e-i-t-m-a-n.

25 THE CLERK: Thank you.

1 THE COURT: You may proceed, Mr. Delaney.

2 MR. DELANEY: Thank you, Your Honor.

3 THE COURT: And if you keep your mask on then please
4 speak clearly so Ms. McPherson can hear you and record your
5 testimony.

6 THE WITNESS: I can take it off.

7 THE COURT: You don't have to. I'm just saying, if
8 you keep it on you need to keep it up clearly for her.

9 Mr. Delaney.

10 MR. DELANEY: Thank you, Your Honor.

11 DIRECT EXAMINATION

12 BY MR. DELANEY:

13 Q. Ms. Beitman, where are you from?

14 A. Baltimore, Maryland.

15 Q. Okay. And I apologize for asking, how old are you?

16 A. 71.

17 Q. Are you currently employed?

18 A. No, I'm a retired nurse.

19 Q. What type of nurse were you?

20 A. I did geriatric adult care, cardiac, neuro, a lot of
21 different --

22 Q. And --

23 A. -- fields.

24 Q. -- sorry for interrupting you. My apologies.

25 Do you have any brothers or sisters?

1 A. I do. I have five brothers and four sisters.

2 Q. And do you have any kids?

3 A. No, I was never married.

4 Q. What about nieces or nephews?

5 A. I have 19 nieces and nephews.

6 Q. On or about January 26th, 2019, do you recall
7 receiving a phone call about one of your nieces or nephews?

8 A. I did. I received a phone call about my nephew
9 Joseph, Joey, and said that he was on a vacation in Florida with
10 a friend of his and that he had an accident with his car where
11 he hit a -- a telephone pole and also a guardrail on the
12 highway.

13 Q. Who was it that you believe to be -- who is it you
14 believed you were talking to on the phone?

15 A. I absolutely believed I was talking to my nephew
16 because he sounded just like my nephew.

17 Q. What time of day was this?

18 A. Probably about one, two o'clock in the afternoon.

19 Q. So the individual who you believed to be Joey told
20 you, I'm sorry, that he was vacationing in Florida?

21 A. Correct.

22 Q. And what had happened?

23 A. That he had this accident and that he damaged this
24 telephone pole and a guardrail and that he could not leave
25 Florida until he made restitution and paid for the damages that

1 he caused.

2 Q. And how much -- did he ask for help from you?

3 A. He did. He asked for \$7,000.

4 Q. Okay. Was that all he asked for?

5 A. No. This conversation went on a day or two. And
6 later, when I had gotten the money together, he had said that he
7 needed an extra \$3,000, I don't remember for what, but I told
8 him that's all I could give him was the seven.

9 Q. Did the person who said he was Joey tell you whether
10 or not you could discuss this with other people?

11 A. He told me not to say anything, that he didn't want
12 his parents to know. And that, you know, just to be quiet about
13 it and he would get in touch with me when he got back home.

14 Q. Did you ultimately agree to send funds to the person
15 you believed to be Joey?

16 A. I did.

17 Q. How did you want to send these funds?

18 A. I wanted to send it via check because --

19 Q. Did you ask --

20 A. -- again, that was something that I was used to doing
21 with any transaction. But he had said that he did not have the
22 ability to cash the check and that his friend's father, who I
23 suggested might be able to help him, you know, or cash the check
24 for him, he said that -- he had an answer for everything. He
25 said that he didn't have that kind of money in the bank account

1 so, therefore, he would need me to send him cash.

2 Q. And were you given specific instructions as to how you
3 were to send the cash?

4 A. I think I was.

5 Q. Tell me about that.

6 A. I was told to package it and send it to an address in
7 Florida, which he was implying was his friend's address.

8 Q. Did you have \$7,000 in cash in your house?

9 A. No, I had to go to the bank. Get the cash from the
10 bank.

11 Q. Putting up Government's Exhibit 85 on the screen.

12 A. I'm sorry, what was that?

13 Q. I put up on the screen what has been marked as
14 Government's Exhibit 85. Do you see this?

15 A. Yes.

16 Q. Perhaps we could blow up this portion of it.

17 A. No, it's good.

18 Q. Okay. It's good. What is it?

19 A. It says -- it's my name for \$7,200.

20 Q. Do you recognize this?

21 A. Absolutely.

22 Q. What is it?

23 A. The 200 was not for them, that was for me.

24 Q. Okay. What about the other 7,000?

25 A. That went to them.

1 Q. Okay. And, specifically, how did it go to them?

2 A. I -- he actually told he me of a FedEx place that was
3 close to my home and -- which was kind of surprising that he
4 would know all that, but he did. And told me to package it so
5 -- in such a way that it wouldn't be obvious, you know, that I
6 was sending money and then -- or cash, and then gave me the
7 address for Florida to send it to. So I followed his
8 directions.

9 Q. The person -- your nephew Joey, what town, city does
10 he actually live?

11 A. He's in Baltimore County.

12 Q. Okay. Let's put up on the screen Government's Exhibit
13 87. Do you recognize this?

14 A. Yes. This is the address they told me to send it to
15 in Florida.

16 Q. And specifically is that 569 Goldenwood way?

17 A. Correct. wellington, Florida.

18 Q. And it says for company, the name Joseph Beitman. why
19 is that listed as the recipient?

20 A. I imagine -- I don't really remember, but it
21 definitely, I mean, that's my nephew's name so it was to go to
22 Joseph. So I imagine that's what they told me to put, and I
23 just don't remember the particulars in that sense.

24 Q. And what was contained in this FedEx shipment?

25 A. The cash. \$7,000 cash.

1 Q. Do you remember how you packaged it?

2 A. I didn't want it to fall in bad hands, little did I
3 know, and so I had wrapped it in brown paper and just, you know,
4 put it in like a Jiffy bag as I recall, because that's padded,
5 and so it was less obvious what was there.

6 Q. After you sent the package what happened next?

7 A. The person saying that he was Joey had said that he
8 would call me the following Monday when he got home. And I
9 didn't hear from my nephew so I started to get suspicious and
10 felt that, you know, something is not right here. And I
11 initially thought that maybe Joey was scamming me or whatever
12 you want to call it, that he was not being honest about this
13 accident.

14 So I called his parents and I thought, you know what,
15 all bets are off. If he's not getting in touch with me, and I
16 gave him a couple days leeway, then I thought I'm gonna talk to
17 my brother and sister-in-law, Paul and Laurie, and that's when I
18 found out that Joey was never in Florida and Joey wasn't the one
19 who had called me and asked for this money.

20 Q. Did you contact authorities after this time?

21 A. I did. My sister-in-law was a big help with that
22 because she was angry too because it was her son that was being
23 accused here. And so she had given me information. And I had
24 then since gotten in touch with the FBI, I think I did right
25 away. You know, right away meaning a week later but...

1 Q. Were you ever able to recover the funds that you --

2 A. No.

3 MR. DELANEY: No further questions at this time, Your
4 Honor.

5 THE COURT: Thank you, Mr. Delaney.

6 Cross-examination, Mr. Guillaume.

7 MR. GUILLAUME: Just a few questions. Thank you, Your
8 Honor.

9 CROSS-EXAMINATION

10 BY MR. GUILLAUME:

11 Q. Good afternoon, ma'am.

12 A. Good afternoon.

13 Q. I'm sorry about what happened to you.

14 A. Thank you.

15 Q. I just want to ask you a couple of questions to
16 clarify some things.

17 A. Sure.

18 Q. The person that you spoke to that you believe was your
19 nephew, approximately how many times? Was it just one time that
20 you spoke to that person or multiple times?

21 A. No, this was several phone calls over a period of
22 about three days.

23 Q. And that person identified themselves by your nephew's
24 name?

25 A. Yes.

1 Q. And that person knew your name?

2 A. Yes.

3 Q. Thank you.

4 MR. GUILLAUME: No further questions.

5 THE COURT: Thank you very much, Mr. Guillaume. No
6 further redirect, is there Mr. Delaney?

7 MR. DELANEY: No, Your Honor.

8 THE COURT: Ms. Beitman, thank you very much for your
9 testimony. You should not discuss your testimony with anyone in
10 the unlikely event you were called back to the witness stand.
11 So thank you very much.

12 THE WITNESS: Will do. Thank you very much.

13 THE COURT: Have a nice day.

14 THE WITNESS: Thank you.

15 THE COURT: Next witness, Ms. Goo.

16 MR. DELANEY: Yes, Your Honor. The Government calls
17 to the stand Mr. Leveensky Lambert.

18 (LEVEENSKY LAMBERT, duly sworn.)

19 THE CLERK: while speaking clearly into the
20 microphone, can you please state your full name and spell your
21 last name for the record?

22 THE WITNESS: Leveensky Lambert, L-a-m-b-e-r-t.

23 THE COURT: If you keep your mask on then, sir, you've
24 got to speak clearly into the microphone for Ms. McPherson to
25 get your testimony, okay?

1 THE WITNESS: Yes, sir.

2 THE COURT: Thank you very much.

3 DIRECT EXAMINATION

4 BY MS. GOO:

5 Q. Good afternoon, Mr. Lambert.

6 A. Good afternoon.

7 Q. And Mr. Lambert, where are you a resident of
8 currently?

9 A. Miami, Florida.

10 Q. Now, Mr. Lambert, have you lived in Florida your whole
11 life?

12 A. Yes, ma'am.

13 Q. And did there come a point in time in which you were
14 arrested in Palm Beach County, Florida?

15 A. Yes, ma'am.

16 Q. And what were you arrested for?

17 A. Counts to defraud over 50,000 of an elder person.

18 Q. Mr. Lambert, if -- I'm not sure if you feel
19 comfortable, it might be easier for us to hear you without the
20 mask on. If not, if you could speak up just a little bit.

21 A. I was in Florida for the defraudment of elderly person
22 over 50,000.

23 Q. Okay. So was it -- is it fair to say it was an elder
24 fraud scheme over \$50,000?

25 A. Yes.

1 Q. Okay. And for that matter, were you represented by
2 Mr. Dustin Tischler in Palm County Beach, Florida?

3 A. Yes, ma'am.

4 Q. And were you charged by local authorities in Florida
5 for that matter?

6 A. Yes, ma'am.

7 Q. And have you pled guilty?

8 A. Yes, ma'am.

9 Q. Have you been sentenced for that?

10 A. Yes, ma'am.

11 Q. And what sentence have you received?

12 A. Ten years probation, \$40,000 restitution.

13 Q. Was there a point in time in which you were approached
14 by federal authorities?

15 A. Yes.

16 Q. And is there a point in time in which there was an
17 agreement that you came to with the U.S. Attorney's Office for
18 the District of Maryland related to cooperation in this case?

19 A. Yes, ma'am.

20 Q. If we could show Government's Exhibit 90. And before
21 you is Government's Exhibit 90. Mr. Lambert, have you seen this
22 exhibit previously?

23 A. Yes, ma'am.

24 Q. What is it?

25 A. An agreement letter.

1 Q. Okay. So in the upper right-hand corner, what is the
2 date of the letter?

3 A. May 28th, 2019.

4 Q. And there's a name of an attorney on the left side.
5 What name is that?

6 A. Dustin Tischler.

7 Q. And, again, is this your attorney?

8 A. Yes, ma'am.

9 Q. And if we could turn to the second page of the
10 exhibit. And the signature below is for Mr. Sean Delaney?

11 A. Yes, ma'am.

12 Q. And on the last page, if we could just -- and the
13 first signature on page 3 of Government Exhibit's 90, whose
14 signature is that?

15 A. Mine.

16 Q. And the signature below?

17 A. My lawyer.

18 Q. And again, what is the date that you signed this
19 document?

20 A. June 17, 2019.

21 Q. You've had an opportunity to review this letter with
22 your attorney then; is that fair to say?

23 A. Yes, ma'am.

24 Q. Okay. So is it your understanding that in return for
25 your truthful testimony in cooperation throughout this case,

1 this office agrees that anything you say will not be used
2 against you in forming a federal case in this district, the
3 District of Maryland, again as long as you're completely
4 truthful and not withholding anything from the U.S. Attorney's
5 office in Maryland?

6 A. Yes, ma'am.

7 Q. And also, has any promise been made to you with
8 regards to what, if any, sentence recommendations or reductions
9 would be given to you in Palm Beach County, Florida?

10 A. No, ma'am.

11 Q. And so what is your understanding as to what will
12 happen once you've concluded with your testimony today?

13 A. Could you repeat that question?

14 Q. Yes. So in terms of your expectation about what the
15 federal prosecutors and the federal government will do for you
16 in terms of your Florida state case, what is your understanding
17 as to what we will do next?

18 A. Nothing. Let the judge know that I helped out here.

19 Q. And if you could keep your voice up.

20 A. Let the judge know that I helped out here.

21 Q. Okay. All right. But again, no promises have been
22 made as to what exactly that means?

23 A. Yes, ma'am.

24 Q. Okay. And I'm going to direct your attention to
25 December of 2018. Where were you residing at that point?

1 A. Broward County, Florida.

2 Q. And what was your employment situation at that moment?

3 A. Unemployed.

4 Q. How long had you been unemployed for?

5 A. For five months.

6 Q. What did you do prior to being unemployed?

7 A. Security.

8 Q. So you were -- you were a security officer?

9 A. Yes.

10 Q. Okay. On December 31st, 2018, specifically, did you
11 attend a New Year's Eve party?

12 A. Yes.

13 Q. And while you were at the party did you learn of an
14 opportunity to make money?

15 A. Yes.

16 Q. Who did you speak with at the party?

17 A. Jay and Zo.

18 Q. Okay.

19 THE COURT: I'm sorry, what was the witness's answer?

20 THE WITNESS: Jay and Zo.

21 BY MS. GOO:

22 Q. Again, Mr. Lambert, if you could keep your voice up.
23 You are starting to fade quite a bit. Leaning forward helps, if
24 you could continue to do that that would be helpful.

25 Did you -- had you met Jay or Zo prior to this party?

1 A. No.

2 Q. So starting first with Jay, what did he tell you with
3 regards to an opportunity to make money?

4 A. Just that it was an opportunity to make money.

5 Q. Did he tell you what you were going to have to do?

6 A. No.

7 Q. And what, if anything, did Zo tell you while you were
8 at this party about this opportunity?

9 A. Just confirmation. Same thing.

10 Q. Was there anyone at the party, in addition to Jay and
11 Zo, that you later learned was a part of this money-making
12 opportunity?

13 A. David and Egho.

14 Q. And do you know David's full name?

15 A. David Green.

16 Q. Okay. And what about Egho's name.

17 A. No, I'm sorry, too long.

18 Q. Do you know what his first name kind of sounds like,
19 or his last name sounds like? Or do you know him just by Egho?

20 A. Uh-huh, that's all.

21 Q. Do you know him by any other nicknames?

22 A. Ghost.

23 Q. Showing you Government's Exhibit 11. Do you recognize
24 this person?

25 A. Yes.

1 Q. And who is that?

2 A. Jay.

3 Q. And showing you Government's Exhibit 7.

4 MS. GOO: Court's brief indulgence.

5 BY MS. GOO:

6 Q. Showing you Government's Exhibit 7. Do you recognize
7 this individual?

8 A. Yes, ma'am. Yes, ma'am.

9 Q. And who is that?

10 A. Egho.

11 Q. Okay. How long had you known Egho prior to this
12 party?

13 A. About five, five years.

14 Q. How did you know him?

15 A. Church.

16 Q. Okay. And how long had you known David for?

17 A. Less than two years.

18 Q. And how did you know David?

19 A. School.

20 Q. Okay. How did you leave things with Jay in terms of
21 your -- I'm sorry. well, strike that.

22 were you interested in this opportunity to make money?

23 A. Yeah.

24 Q. How did you leave things with Jay when you left the
25 party in terms of your interest to partake in the opportunity?

1 A. I'm sorry, repeat that question.

2 Q. How did you leave things with Jay in terms of whether
3 you were interested or not in this money-making opportunity?

4 A. Interested.

5 Q. Interested?

6 A. Uh-huh.

7 Q. Okay. How were you going to communicate with them?

8 A. Through an app.

9 Q. Okay. Through an app?

10 A. Yes.

11 Q. And what app was that?

12 A. Wickr.

13 Q. Okay. Were you contacted after the party in regards
14 to a next step in terms of participating?

15 A. Yes, ma'am.

16 Q. And who contacted you?

17 A. David.

18 Q. What did David tell you?

19 A. That we have a flight.

20 Q. Where was the flight to?

21 A. BWI.

22 Q. When was the flight?

23 A. New Year's Day.

24 Q. So was this the day after the party?

25 A. Yes, ma'am.

1 Q. And did you get on the flight with David?

2 A. Yes, ma'am.

3 Q. What happened when you got to Baltimore?

4 A. I was stuck at the airport.

5 Q. And how long were you at the airport for?

6 A. For 16 hours.

7 Q. Did you eventually get picked up?

8 A. Eventually called an Uber.

9 Q. And why did it take so long?

10 A. No money.

11 Q. Who eventually got the money, if you know?

12 A. David.

13 Q. Where did you go to after you left the airport?

14 A. Keion house.

15 Q. Keion's house?

16 A. Yes.

17 Q. Do you know Keion's last name?

18 A. No.

19 Q. What happened -- and where was Keion's house? In what
20 city and state?

21 A. In Baltimore.

22 Q. What happened when you got to Keion's house?

23 A. I got money.

24 Q. Were there other people at Keion's house?

25 A. Me, Keion, David.

1 Q. And how much money did Keion give you?

2 A. \$500.

3 Q. So when you arrived to Baltimore, how long after your
4 arrival did you start working?

5 A. About a day or two.

6 Q. And in terms of learning what to do, what did you --
7 what was the learning process?

8 A. I followed David.

9 Q. And how long did you follow David for?

10 A. For about a week, week and a half.

11 Q. And from that learning experience, how was information
12 received with regards to what you needed to do?

13 A. Just watch. A visual.

14 Q. And what did you observe David doing?

15 A. Pick up the packages.

16 Q. Okay. And did you find out -- and how did David
17 receive information about where to go to to pick up the
18 packages?

19 A. Through the app, Wickr.

20 Q. Okay. Now, eventually you started to receive -- and
21 I'm sorry, was there a point in time in which you were actually
22 receiving information about the packages?

23 A. Yes, ma'am.

24 Q. And again, how did you receive that information?

25 A. Through an app, Wickr.

1 Q. Now, what were you supposed to do when you were
2 waiting for a package?

3 A. Record it.

4 Q. How?

5 A. On video.

6 Q. So how did you record it?

7 A. Record the package being dropped.

8 Q. I mean -- I'm sorry, that was a bad question.

9 How? Did you actually just, like, take a video of the
10 package arriving?

11 A. With my phone.

12 Q. Okay. And what information did you receive through
13 wickr?

14 A. Tracking number, name, and date. Date.

15 Q. So I think you said tracking number?

16 A. Uh-huh.

17 Q. Date?

18 A. Yes.

19 Q. What else?

20 A. And the sender's name.

21 Q. Sender's name. Were you given information about where
22 to go?

23 A. Yeah, and address.

24 Q. And the address. So when would you get that
25 information through wickr?

1 A. I'm sorry, repeat.

2 Q. So on any given day for a workday, when would you
3 receive that information?

4 A. Any time.

5 Q. Okay. And once you received the information what did
6 you do with it?

7 A. I would go to the address.

8 Q. Okay. So once you go to the address, package arrives,
9 and I think you said that you're supposed to take a video of it?

10 A. Yes.

11 Q. What happens after the package arrives?

12 A. Pick it up.

13 Q. And after you pick up the package what do you do then?

14 A. Well, I would give it to David.

15 Q. Okay. Is there anyone else you would give packages to
16 other than David, during the whole course of the time that you
17 were doing this?

18 A. Yeah, Keion.

19 Q. And who else?

20 A. And Egho.

21 Q. Okay. Anyone else that you gave packages to?

22 A. No, that's all.

23 Q. So I just want to make sure I have this right; Egho,
24 David, Keion?

25 A. Uh-huh.

1 Q. And did you also communicate with David, Egho -- and
2 I'm sorry.

3 Was there a point in time in which you communicated
4 also with Jay?

5 A. Yes.

6 Q. And how did you communicate with Jay?

7 A. Phone. Through the phone.

8 Q. Through the phone? Okay.

9 Now, did you communicate with David and Egho through
10 text messages?

11 A. Yes.

12 Q. Okay. Now, directing your attention to January the
13 10th of 2019, if we could pull up Exhibit 91.

14 Showing you Government's Exhibit 91. Do you recognize
15 this?

16 A. Yes.

17 Q. What is it?

18 A. Message from Wickr.

19 Q. And what is this -- so it appears to be a photograph
20 of a phone.

21 A. Uh-huh.

22 Q. Is this a photograph of your phone or is this a
23 picture that you actually received on your phone?

24 A. A picture I received on my phone.

25 Q. Okay. And if you could just read the top line of the

1 message.

2 A. Sent January 9th, 2019.

3 Q. And if you could read the name of the sender.

4 A. Francis Williams.

5 Q. And the address which is the last line of the message.

6 A. 314 Southway, Baltimore.

7 Q. Okay. And what did you do with this information once
8 you received it?

9 A. Go to that address.

10 Q. You went to the address. And then what did you do
11 when you got to the address?

12 A. Look for the package.

13 Q. And then what?

14 A. Keep the package.

15 Q. And then what did you do with the package?

16 A. Give it to David.

17 Q. And you remember giving it to David specifically?

18 A. Yes.

19 Q. Okay. I'm showing you Government's Exhibit 92. If we
20 could just focus first on the participants of the conversation.
21 If we could just -- all right.

22 Now, Mr. Lambert, have you had an opportunity to
23 review Government's Exhibit 92 previously?

24 A. Yes.

25 Q. And is this a text conversation between two

1 individuals?

2 A. Yes.

3 Q. Who is the conversation between?

4 A. Myself and David.

5 Q. All right. If we could go back to the text messages.
6 All right. If we could just focus on that. All right.

7 Mr. Lambert, if you could read the messages and who
8 the message is sent from. If you could just read the three
9 messages in front of us.

10 A. From me: I'm post with Keion since he in the cold.
11 From David. You over there.

12 From me: Yeah, I'm posted with him.

13 Q. What was this conversation that you were -- why were
14 you having this conversation with David?

15 A. To go get Keion.

16 Q. Okay. And why was it important for him to know where
17 you and Keion were?

18 A. Just to give him an update.

19 Q. An update about what?

20 A. Going to go get Keion.

21 Q. And what were you doing with Keion at that point?

22 A. Just sitting in the car.

23 Q. Okay. And what were you doing waiting in the car?

24 A. For him to get his package.

25 Q. Okay. Go to the second page. And starting at the

1 top, we do all -- okay. Could you read the message first from
2 David G?

3 A. Kool.

4 Q. And then from you?

5 A. We got pack.

6 Q. And then how did Dave respond?

7 A. Alright. Meet the Giant by K house.

8 Q. So starting from the message from you, we got pack,
9 what were you communicating to David?

10 A. Keion got his package.

11 Q. And when it said meet by the Giant by K house, what
12 was the information David was giving to you?

13 A. To meet at a store.

14 Q. For what purpose?

15 A. For him to get the package.

16 Q. So after waiting for the package to arrive, I think
17 videotaping its arrival, collecting it, I think you mentioned
18 that you gave the package to someone, right?

19 A. Uh-huh.

20 Q. Did you ever open the package?

21 A. No.

22 Q. Showing Government's Exhibit 93. Now, did you keep
23 notes in your phone about information of the packages?

24 A. Yes.

25 Q. Showing you Government's Exhibit 93. Do you recognize

1 this?

2 A. Yes.

3 Q. what is it?

4 A. A phone with addresses on it.

5 Q. Okay. And do you recognize this as something that you
6 authored?

7 A. Yes.

8 Q. so this is a note that you wrote?

9 A. Yes.

10 Q. Can could you read the first line?

11 A. 2112 Orleans with Keion, \$100 each.

12 Q. And what did you mean? why did you make that
13 notation?

14 A. Split it.

15 Q. I'm sorry.

16 A. For our records.

17 Q. And why was it important for you to keep that record?

18 A. To keep track of what I got paid. What was owed.

19 Q. And again, Mr. Lambert, you have to keep your voice
20 up, I'm having a hard time hearing.

21 A. To keep track of what was paid. What was owed.

22 Q. So \$100 each. So were you and Keion each going to get
23 a hundred each or were you going to have to split a hundred?

24 A. Each get a hundred.

25 Q. And so it's just one address that's listed there.

1 A. Uh-huh.

2 Q. Why would you and Keion each get paid money for that?

3 A. We were both there.

4 Q. Okay. And you were there doing what?

5 A. Waiting for the package.

6 Q. Could you read the second line?

7 A. 332 Suffolk with David. Split however.

8 Q. Why did you make that second notation?

9 A. Same reason as the first.

10 Q. Which is what?

11 A. Waiting for the package.

12 Q. And who was there with you? And were you present for
13 the package to arrive?

14 A. Yeah.

15 Q. So were you involved with that package being picked
16 up?

17 A. Yeah.

18 Q. And who was with you?

19 A. David.

20 Q. And why does it say split however?

21 A. Just to split it however. He didn't really care about
22 the money.

23 Q. You trailed off.

24 A. Yeah. Sorry. To split it however. They didn't
25 really care about the money.

1 Q. Okay. Why didn't you care about the money as to that
2 one specifically?

3 A. They didn't care about it.

4 Q. Why?

5 A. I don't know.

6 MR. GUILLAUME: I'm sorry, what was the question?

7 THE COURT: What was the answer? I didn't hear the
8 answer.

9 THE WITNESS: Oh, I don't know. I don't know why it
10 was like that.

11 BY MS. GOO:

12 Q. Okay. Now, how would you get paid?

13 A. Random cash drops.

14 Q. So could you give us an example of what a cash drop
15 was?

16 A. Cash would be in an alley, trash can. Somewhere
17 random. Random places.

18 Q. Was it left there or did somebody hand it to you at
19 one of these locations?

20 A. It was left there.

21 Q. Showing you Government's Exhibit's Exhibit 94A. And
22 again, if we could focus on the participants of the call.

23 Again, Mr. Lambert, have you had an opportunity to
24 previously view Exhibit 94A?

25 A. Yes, ma'am.

1 Q. And is this a text conversation?

2 A. Yes.

3 Q. And who is it between?

4 A. Me and David.

5 Q. Okay. If we could show the text messages. Okay. And
6 if you could start at the top. Again, if you could read who is
7 saying what.

8 A. He, David, says: Jeremy Scottdale with traffic
9 number. David said UPS delivery.

10 I said: Bet.

11 David said: Remember it needs a sig. One decide who
12 gonna sign for it, but you could sit on the porch. If the
13 driver don't give up, don't press him just let 'em take it.

14 Q. Do you know why he sent that last message? Actually
15 retracting that question -- sorry, I'm going to strike that
16 question.

17 Can we turn to the next page, please.

18 MS. GOO: Court's brief indulgence.

19 BY MS. GOO:

20 Q. Now, actually if we can pull up Government's Exhibit
21 94 which is a video. And again, Mr. Lambert, did you have an
22 opportunity to review Government's Exhibit 94?

23 A. Yes, ma'am.

24 Q. And is it a video that you took?

25 A. Yes, ma'am.

1 Q. what is the video of?

2 A. I don't know. I can't --

3 Q. Actually, if we could just play Exhibit 94, please.

4 (A video recording was played.)

5 A. Me waiting for a package.

6 Q. Actually, could we hit pause for a second?

7 And Mr. Lambert, do you recognize this exhibit?

8 A. Yes, ma'am.

9 Q. what is the video of?

10 A. Me waiting for a package.

11 Q. Okay. And is it the one that was referenced in 94A?

12 A. Yes, ma'am.

13 Q. Okay. And if we could start it again at the beginning
14 for the video.

15 (An audio recording was played.)

16 Q. So did you receive that package?

17 A. Yes, ma'am.

18 Q. And were you later paid to receive that package?

19 A. Yes, ma'am.

20 Q. And showing you Government's Exhibit V-2. And if you
21 could highlight the sender, recipient, and shipping information.

22 And Mr. Lambert, if you could read the name of the
23 recipient which is in the first row.

24 A. Jeremy Scottdale.

25 Q. And what is the address?

1 A. 638 East 33rd Street.

2 Q. And what is the shipping date which is in the next
3 column?

4 A. January 7th, 2019.

5 Q. And what is the name of the sender?

6 A. Reid and Barbara Hanson.

7 Q. Do you know who they are?

8 A. No.

9 Q. Did you ever open the packages?

10 A. No.

11 Q. Did you ever ask what was in the packages?

12 A. Yes.

13 Q. who did you ask?

14 A. Everybody. David, Keion, Egho.

15 Q. I'm sorry. Again, you've got to keep your voice up,
16 I'm having a hard time hearing you.

17 THE COURT: Keep your voice up please, and speak
18 clearly, sir.

19 THE WITNESS: David, Keion, Egho, Jay.

20 BY MS. GOO:

21 Q. Okay. You said Jay?

22 A. Uh-huh.

23 Q. Okay. So David, Egho, Keion, and Jay; is that right?

24 A. Uh-huh.

25 Q. what did David say when you asked him?

1 A. He doesn't know. We don't open the package.

2 Q. And what did Jay say when you asked him?

3 A. Don't open the package.

4 Q. What did Keion tell you when you asked?

5 A. He doesn't know. He don't open the package.

6 Q. And what did Egho say when you asked what was in the
7 package?

8 A. Doesn't know. Don't open the package.

9 Q. The address that was used for the package deliveries,
10 did you ever participate in coming up with addresses?

11 A. Some, yes.

12 Q. How did you do it?

13 A. Realtor pages.

14 Q. When you say "realtor pages" what do you mean by that?

15 A. Houses for sale. Realtor pages.

16 Q. By pages you mean web pages?

17 A. Yes, web pages.

18 Q. Okay. And when you provided addresses for packages to
19 be delivered who did you send that information to?

20 A. Wickr.

21 Q. To who?

22 A. A person named Pei Mee.

23 Q. And do you remember how Pei Mee was spelt?

24 A. Not really.

25 Q. But you said it was Pei Mee?

1 A. Yes.

2 Q. How much did you get paid to provide those addresses,
3 if you recall?

4 A. I don't really remember. Like 50 to a hundred an
5 address.

6 Q. I'm sorry, again, I'm having a hard time hearing you.

7 A. Like 50 to a hundred an address.

8 Q. Showing you Government's Exhibit 95. Did you keep a
9 series of notes with addresses on it in your phone?

10 A. Yes.

11 Q. Showing you Exhibit No. 95. Do you recognize this?

12 A. Yes, ma'am.

13 Q. What is it?

14 A. A list of addresses.

15 Q. Okay. And go to the next page. So that's another
16 page of the addresses?

17 A. Yes, ma'am.

18 Q. And could you turn to the third page. Now, I'm just
19 going to direct your attention to the first three. If we could
20 just highlight that, please. Okay. So next to these three
21 addresses, 6070 Olivewood and 5109 Arborglen, there's a star
22 next to those, do you see that?

23 A. Yes, ma'am.

24 Q. And then for the third one, 5018 Solar Point Drive,
25 there's an X next to that one. Do you see that?

1 A. Yes, ma'am. Yes, ma'am.

2 Q. What do the stars and X's mean or indicate to you?

3 A. I don't remember honestly. It could be that it was
4 good or bad. I don't know how it really went.

5 Q. Is that why you -- do you just not remember what the
6 stars and X's were or do you recall specifically that you were
7 trying to keep track of anything in particular?

8 A. Yeah, I don't remember what the star and X's really
9 was for. I guess I was just trying to keep track. I'm not to
10 sure.

11 Q. And again, what were you trying to keep track of?

12 A. Good address, bad address.

13 Q. So what was a good address?

14 A. Empty. Vacant. Renovated.

15 Q. And again, I'm sorry, please keep your voice up.

16 A. Empty. Renovated.

17 Q. Okay. And you said -- what was the first word?

18 A. I don't remember the first word. It was empty,
19 renovated, and I don't remember the first word I just said.

20 Q. Okay. But you said empty and renovated?

21 A. Yeah, empty and renovated.

22 Q. Okay. So how about a vacant property?

23 A. Yeah, vacant.

24 Q. Okay. And did you -- again, you communicated with
25 Egbo over text message?

1 A. Yes.

2 Q. Okay. Showing you Government's Exhibit 96. If you
3 could focus on the participants first. And you've had an
4 opportunity to review Government Exhibit No. 96 previously?

5 A. Yes, ma'am.

6 Q. And is this a text conversation?

7 A. Yes, ma'am.

8 Q. Who is it with?

9 A. Me and Ghost.

10 THE COURT: I'm sorry, what was the answer?

11 THE WITNESS: Me and Ghost.

12 THE COURT: Okay.

13 BY MS. GOO:

14 Q. I'm going to show you -- so let's start with the first
15 message. If we could just zoom in on the first and second
16 messages, please.

17 So the first message that Ghost sent to you, do you
18 remember what exactly he was sending to you?

19 A. A location.

20 Q. I'm sorry?

21 A. A location.

22 Q. A location? Okay. And how did you respond?

23 A. On my way.

24 Q. Okay. So why did Ghost send you a location?

25 A. To go to that location.

1 Q. To do what?

2 A. Stay outside the location.

3 Q. For what purpose?

4 A. To look at the property. Stake out the property.

5 Q. To check out the property?

6 A. Uh-huh.

7 Q. Were you there to pick up a package?

8 A. Yes.

9 Q. Now, the third message -- okay. Now, do you recall
10 what this thumbnail is of?

11 A. A video.

12 Q. Okay. Actually, so let's if we could show Government
13 Exhibit 96A. Is this a thumbnail from the text message?

14 A. Yes, ma'am.

15 Q. And what is this? Do you recognize this picture?

16 A. Yes, ma'am.

17 Q. What is it a picture of?

18 A. Somebody outside the property.

19 Q. And do you know why this person was outside the
20 property?

21 A. No, ma'am.

22 Q. Okay. Why did you send this to Ghost?

23 A. Can you reword that, that question?

24 Q. Sure. So you sent this picture to Ghost.

25 A. Yes.

1 Q. Do you recall why you sent him this picture?

2 A. Yes.

3 Q. What was that for?

4 A. Verification.

5 Q. Verification of what?

6 A. That somebody is at the house.

7 Q. Okay. And why was that important?

8 A. Because nobody should be at the house.

9 Q. Because if someone is at the house what kind of
10 problem did that pose for you?

11 A. Not a good house. Not a good place to send to.

12 Q. Send what too?

13 A. Package too.

14 Q. Could we go back to Government's Exhibit 96 and go to
15 the second page. Okay. So after you send that photograph how
16 did Ghost respond?

17 A. Video, bro.

18 Q. And how did you respond?

19 A. Okay. But you want me to just here on game.

20 Q. How did Ghost respond?

21 A. Imma come holla at her.

22 Q. So in this exchange, again, what are you and Ghost
23 communicating about?

24 A. Persons at the house.

25 Q. Why did he say -- if you know, why do you think he

1 said video bro?

2 A. I don't know. To see if -- to see if somebody was
3 actually there.

4 Q. Okay. And below, so the last three messages if we
5 could blow those up, please. Okay.

6 If you could read this set of messages and who sent
7 these messages?

8 A. I said: She leaving, I think. I said: You sure, I
9 can holla at her. No pressure. I sent the video.

10 Q. So the last one is a video?

11 A. Yes, ma'am.

12 Q. If we could show Government Exhibit 96B. Can we pause
13 for one second?

14 Mr. Lambert, do you recognize Government Exhibit 96B?

15 A. Yes, ma'am.

16 Q. What is it?

17 A. A video.

18 Q. Of what?

19 A. More people coming.

20 Q. Okay. And again, this is a video that you sent to
21 Ghost?

22 A. Yes, ma'am.

23 Q. If we could continue the video, please.

24 And then directing your attention to 96C.

25 (A video recording was played.)

1 Q. And if we could just pause for one second. And
2 Mr. Lambert, do you recognize this video?

3 A. Yes, ma'am.

4 Q. And what is it a video of?

5 A. People going in the house.

6 Q. Is this the same house that we were just looking at?

7 A. Yes, ma'am.

8 Q. Is this a continuation of the first video?

9 A. Yes, ma'am.

10 Q. If we could continue playing 96C.

11 (A video recording was played.)

12 Q. Okay. Now, why did you take these videos?

13 A. For proof.

14 Q. For proof of what?

15 A. People are at the house.

16 Q. Okay. And why was it important for you to take a
17 video of people going into the house?

18 A. Because people should not be in the house, the house
19 should be empty.

20 Q. Okay. So when you got to the house what did you
21 expect was going to happen? Before you saw the people there,
22 what was your plan?

23 A. That it was going to be empty.

24 Q. Okay. And now that there were people in it, how did
25 that change it?

1 A. Can't go to the house. Can't use the house.

2 Q. And what were you not able to do because of the fact
3 that there were people there?

4 A. Use the address.

5 Q. To do what?

6 A. To send on Wickr.

7 Q. I'm sorry?

8 A. To send on Wickr.

9 Q. Okay. No, I'm sorry, that was a bad question. So
10 because there were people, because there was someone there
11 showing off the house --

12 A. Yes, ma'am.

13 Q. -- were you able to do what you were supposed to do
14 when you got to the house?

15 A. No, ma'am.

16 Q. And what were you supposed to do when you got to the
17 house?

18 A. Check it out, see if it was empty or not. If it was a
19 good address.

20 Q. Okay.

21 MS. GOO: Court's very brief indulgence.

22 BY MS. GOO:

23 Q. Do you know if a package was ever delivered to that
24 address?

25 A. No, ma'am.

1 Q. So do you know whether or not a package was delivered
2 to that address?

3 A. No. It was either supposed to come that day or the
4 next day.

5 Q. I'm sorry, I'm having a hard time understanding you.

6 A. It was either supposed to come that day or not. So I
7 went there to see.

8 Q. Okay. And lastly, showing you Government's Exhibit
9 97. Do you recognize this photograph?

10 A. Yes, ma'am.

11 Q. And what is it of?

12 A. The house.

13 Q. Okay. So this house that -- this house that you went
14 to, was this house, again, information that you received through
15 Wickr?

16 A. Yes, ma'am.

17 Q. Okay. How long were you in the Baltimore area for?

18 A. About three weeks.

19 Q. Did you ever go anywhere in the Mid-Atlantic region
20 other than Baltimore?

21 A. No, ma'am.

22 Q. Approximately, if you can recall, how many packages
23 did you pick up while you were here in the Baltimore area during
24 that three-week period of time?

25 A. Plus ten.

1 Q. I'm sorry?

2 A. Plus ten.

3 Q. Plus ten? Plus twenty?

4 A. Yeah.

5 Q. And after you left Baltimore where did you go to?

6 A. Back to Florida.

7 Q. Okay. Showing you Government's Exhibit 99. If we
8 could zoom in on the flight information and the passenger
9 information. And if you could read the flight date into the
10 record.

11 A. January 27, 2019.

12 Q. And who was the passenger?

13 A. I was.

14 Q. Did you pay for this flight?

15 A. Yes, ma'am.

16 Q. Okay. Now, when you returned to Florida did you want
17 to continue working with Egho and Jay and David?

18 A. No, ma'am.

19 Q. Did you end up continuing to work with them after you
20 got back?

21 A. Yes, ma'am.

22 Q. Okay. And who reached out to you?

23 A. Can you reword that question?

24 Q. Sure. How did you get back involved in working with
25 them again?

1 A. I'm sorry, repeat that one more time.

2 Q. Sure. How did you -- you said you wanted to stop
3 working with them in that packaging scheme, right?

4 A. Yes, ma'am.

5 Q. How did you end up getting back involved with them
6 when you returned to Florida?

7 A. Because they needed help.

8 Q. Who contacted you?

9 A. Ghost.

10 Q. What did he ask you to do?

11 A. Pick him up.

12 Q. Okay. To do what?

13 A. Pick him up and Keion.

14 Q. Okay. Did you run packages for Ghost when you
15 returned to Florida?

16 A. No.

17 Q. Did you take packages to anyone in Florida?

18 A. Yes.

19 Q. Okay. So what would you do for packages when you're
20 back in Florida?

21 A. Can you reword that question?

22 Q. Yes. So when you're in Florida --

23 A. Uh-huh.

24 Q. -- what did you do in terms of the package scheme?
25 You described what you did in Baltimore, what did you do in

1 Florida?

2 A. Same thing.

3 Q. Okay. And what was that again?

4 A. Go to the address, grab the package.

5 Q. Did you have to videotape it then as well?

6 A. Yes.

7 Q. Okay. And what did you do with the package after you
8 picked it up it?

9 A. Drop it off to Jay.

10 Q. Okay. And where did you meet with Jay?

11 A. At a barber shop.

12 Q. And how much did you get paid for dropping off the
13 package?

14 A. \$200.

15 Q. And approximately how many packages did you pick up
16 when you returned to Florida?

17 A. Two maybe. Maybe two, maybe three.

18 Q. So, I'm sorry, what was that?

19 A. Less than three.

20 Q. Less than three.

21 And when Jay paid you how did he get you the money?

22 A. Cash.

23 Q. And did he hand it to you or did he leave it somewhere
24 for you?

25 A. Handed it to me.

1 Q. Okay. Showing you Government's Exhibit 98A. First
2 focusing on the participants of the conversation. Again,
3 Mr. Lambert, who is this a conversation between?

4 A. Me and Ghost.

5 Q. And the first two messages, if you could just read
6 those into the record.

7 A. I said: what's Wiley's number, and he sends a number.

8 Q. And what was the next message you sent to him after
9 that?

10 A. My Daw dang delayed and not coming today.

11 Q. Okay. So for those, the third and the fourth message,
12 what is the date of those messages?

13 A. January 30th, 2019.

14 Q. What were you communicating to Ghost?

15 A. I'm not too sure. I don't know if it was -- I'm not
16 too sure.

17 Q. What was delayed, if you recall?

18 A. It was either his flight or a package. I don't know
19 really. I don't recall really.

20 Q. And the next page of Government's Exhibit 98A.

21 A. Okay.

22 Q. If you could just read the next, I guess the second
23 and the fourth message.

24 A. Ya man's gooking, bra. He ain't hop out for the pack.

25 Q. And how did Ghost respond?

1 A. How?

2 Q. And again, what is being communicated to Ghost in this
3 set of messages?

4 A. That somebody didn't get their package.

5 Q. Okay. That somebody didn't what?

6 A. Didn't get their package.

7 Q. Okay. And if we could show the last page, page 3. If
8 you could just read that last one into the record.

9 A. He let UPS take the pack back.

10 Q. And again, why are you giving this information to
11 Ghost?

12 A. To update. To inform.

13 Q. About what?

14 A. That person didn't get the package.

15 Q. And do you know who that was about?

16 A. No.

17 Q. Okay. But is it fair to say that in this exchange
18 with Ghost the two of you were talking about what?

19 A. Package.

20 Q. About packages?

21 A. Yeah.

22 Q. Okay. All right. Turning your attention to Exhibit
23 98. Actually, could we put 90 and 90A up on the same screen for
24 just one moment.

25 Okay. So the message between -- so for Government's

1 Exhibit 98, who is the conversation between?

2 A. I'm sorry, repeat.

3 Q. Who is the conversation between for Government Exhibit
4 98?

5 A. Me and Wiley.

6 Q. I'm sorry?

7 A. Me and Wiley.

8 Q. Okay. We can take 98 off the screen now.

9 Could you read the messages again, telling us who is
10 saying what in this conversation?

11 A. I said: Just send the addy though. He sent an
12 address. I asked: Is it delivered? He said: Yes.

13 Q. And if we go to the second page.

14 MS. GOO: Court's brief indulgence.

15 BY MS. GOO:

16 Q. Okay. What, again, is this information that he's
17 providing?

18 A. An address.

19 Q. Showing you the second page of Government Exhibit 98.
20 How did you respond?

21 A. Bet.

22 Q. And how did Wiley respond?

23 A. How far you is from it?

24 Q. And what did you say?

25 A. 15 minutes.

1 Q. And what did wiley say?

2 A. You got it, right?

3 Q. And what did you say?

4 A. I got it.

5 Q. So what are you communicating with wiley at this
6 point?

7 A. That I got the package.

8 Q. And last message from wiley on this page.

9 A. Can we switch?

10 Q. And what was he asking you? what does can we switch
11 mean?

12 A. I don't remember. I don't know if he was asking can
13 we switch cars, can we switch locations. I don't remember.

14 Q. But was it related to picking up packages?

15 A. Yeah. Probably. Yeah.

16 Q. Showing you the third page of Government's Exhibit 98.
17 Again, if you could read the messages displayed so far and who
18 it's from.

19 A. From me: I'm already at this adde but this yo pack,
20 don't listen to Ghost.

21 He said: I appreciate it, bra, I got you. Already
22 know.

23 Q. How did you respond?

24 A. Ain't shit bruh.

25 Q. what were you and wiley communicating at this point?

1 A. That that's his payment.

2 Q. So who was going to take the payment for this package?

3 A. He was. Wiley was.

4 Q. So you waited for the package. Why aren't you going
5 to get the payment for it?

6 A. Because it wasn't my package.

7 Q. And why did you say don't listen to Ghost?

8 A. Cause they was arguing that I should get paid for it
9 since I waited for it.

10 Q. Why did you let Wiley have it?

11 A. It was his package.

12 Q. Okay. And the bottom of the message, the message
13 dated January 30th at 7:57 a.m., what did you send to Wiley?

14 A. Location.

15 Q. Okay. And the message, the last message on the
16 screen, could you read the part at the bottom?

17 A. 569 Golden Way. Goldenwood Way, Wellington, Florida.

18 Q. Okay. And this is a UPS tracking number that's listed
19 there?

20 A. Yes.

21 Q. And again, the message that you sent was at what time
22 with that address?

23 A. 9:29 a.

24 Q. 9:29 a.m. or p.m.?

25 A. A.m. A.m.

1 Q. Showing you Governments' Exhibit 87. Focusing on the
2 recipient of Government's Exhibit 87, previously admitted. What
3 is the address for the recipient?

4 A. 569 Goldenwood way, wellington, Florida.

5 Q. Okay. And is that the same address that was listed in
6 that text message?

7 A. Yes, ma'am.

8 Q. And directing your attention to the shipper and the
9 name of the shipper. Could you read that into the record?

10 A. Mary Beitman.

11 Q. And do you know who that is?

12 A. No.

13 Q. Okay. And drawing your attention to delivery. What
14 is the timestamp for the delivery?

15 A. 8:48.

16 Q. And is that the same address you were sitting outside
17 of?

18 A. Yes, ma'am.

19 Q. Showing you Government's Exhibit 100. Again, who is
20 this a conversation between?

21 A. Me, Ghost.

22 Q. Okay. If you could just read the first three text
23 messages.

24 A. Get him a motel down here on 441. Don't make sense to
25 be all the way up there.

1 He said: Already got it up there. It's Jay bread?

2 Q. Okay. And what color are your messages?

3 A. Green.

4 Q. And what color are Ghost's messages?

5 A. Blue.

6 Q. And again, were you communicating with Ghost at this
7 time?

8 A. Yes, ma'am.

9 Q. What are you communicating with him?

10 A. Oh. Hotel arrangements.

11 Q. And who are you talking about in terms of getting him
12 a hotel?

13 A. Keion.

14 Q. Did Keion live in Florida?

15 A. No.

16 Q. Now, when you mentioned the 441, what is that?

17 A. Interstate.

18 Q. Where is that?

19 A. In Florida.

20 Q. And did you think it was a better idea for Keion to be
21 down there?

22 A. I guess, yeah.

23 Q. Okay. Now, when Ghost said already got it up there,
24 it's Jay's bread, what did you interpret that to be?

25 A. That they already got hotel arrangements up where they

1 were at.

2 Q. And who paid for it?

3 A. Jay did.

4 Q. Okay. And how did you respond?

5 A. Say less.

6 Q. Why did you say that?

7 A. It's a slang.

8 Q. For what?

9 A. Okay.

10 Q. Turning to the next page. And if you could read this
11 set of text messages, who sent it, who said it, and what the
12 message said.

13 A. I said: Imma be up at 6:10, send me the info on
14 Wickr. Ghost sent me an address.

15 I said: I'm on my way there.

16 I said: What's the time?

17 He said: That the telly is only 8 a.m.'s and by the
18 time you get there it's gonna be delivered.

19 Q. And again, what is the date of these messages?

20 A. February 7th.

21 Q. Do you know what the address is for 1310 Lantana Road?

22 A. Motel.

23 Q. Why -- what's being communicated back and forth
24 between you and Ghost at this point?

25 A. Can you reword that?

1 Q. Sure. What, if anything, are the two of you trying to
2 coordinate at this point?

3 A. His pick up.

4 Q. Whose pick up?

5 A. To pick him up. Pick up Ghost.

6 Q. To do what?

7 A. And take him back to the hotel. Him and Keion back to
8 the hotel.

9 Q. To take him and Keion back to the hotel?

10 A. Yes.

11 Q. Okay. To do what?

12 A. I don't know.

13 Q. Okay. So when -- okay. So let's focus on the last
14 message.

15 A. Okay.

16 Q. It says, that was the telly, it's only 8 ams and by
17 the time you get here it's gonna be delivered.

18 A. Uh-huh.

19 Q. What's going to be delivered? What did you believe
20 Ghost was talking about when he says it's going to be delivered?

21 A. A package.

22 Q. Okay. So again, asking you what were you and Ghost
23 trying to coordinate at this point in time?

24 A. Travel arrangements for him and Keion.

25 Q. Okay. And what were you -- what type of

1 transportation? Or why were you providing the transportation?

2 A. Because his car was messed up.

3 Q. The transportation is to do what?

4 A. To take him wherever he needed to go.

5 Q. Okay. And when you say wherever he needed to go, what
6 was he doing at that time?

7 A. He was stuck at a gas station.

8 Q. Okay. And what was he trying to accomplish?

9 A. To get a ride from that gas station.

10 Q. To go where?

11 A. To the hotel.

12 Q. Okay.

13 MS. GOO: Court's brief indulgence.

14 BY MS. GOO:

15 Q. So you keep on mentioning a gas station and a car.
16 what happened with that?

17 A. He stopped to get gas.

18 Q. who did? who's he?

19 A. Ghost stopped to get gas, and he asked Keion to pump
20 the gas, but Keion put the wrong gas in the car.

21 Q. what kind of gas did he put into the car?

22 A. Diesel gas.

23 Q. what happened to the car?

24 A. It seized up. It wouldn't turn on. It wouldn't move.

25 Q. Okay. Now, did there come a point in time in which

1 you were arrested as a part of this package scheme?

2 A. Yes, ma'am.

3 Q. Starting with the evening before, the night before,
4 what happened?

5 A. Ghost couldn't get a ride.

6 Q. To do what?

7 A. To go drop Keion off to his hotel. So he called me to
8 give him a lift. And I came and gave him a lift, gave him and
9 -- Ghost and Keion a lift to the hotel, but they didn't have the
10 key and Keion had a package to get, so I just took them straight
11 over there.

12 Q. Straight where?

13 A. To the address that Keion had to go to.

14 Q. Okay. So you took them to the address where the
15 package was supposed to be dropped off?

16 A. Yeah.

17 Q. Okay. So what happened when you got there?

18 A. Keion was supposed to get out, go get the package, but
19 he was asleep. They wouldn't wake up.

20 Q. So who was in the car with you?

21 A. Me, Keion, and Ghost.

22 Q. So you were still at -- where were you seated in the
23 car?

24 A. The driver.

25 Q. Okay. And did you see a truck pull up?

1 A. No.

2 Q. Okay. So at what point do you realize there's a
3 package?

4 A. When I seen the truck leave.

5 Q. And what did you do?

6 A. I tried to wake them up to get the package. I tried
7 to wake Keion up to get his package, he wouldn't wake up. And I
8 was ready to leave so I just went it and got it.

9 Q. And what happened when you got out to get it?

10 A. On the porch, picked it up, took two steps. And
11 undercover agents pulled up on me and told me to get on the
12 floor.

13 Q. Okay. And what happened after you got up off the
14 floor?

15 A. We were arrested.

16 Q. And where did you go to?

17 A. Police station. Booking.

18 Q. And you were charged as a result of that?

19 A. Yes, ma'am.

20 Q. And is that the case that you pled guilty to that we
21 started your testimony with?

22 A. Yes, ma'am.

23 Q. When you went to the police station did you -- did the
24 police try to interview you?

25 A. Yes, ma'am.

1 Q. And did you provide truthful information to the police
2 at that point in time?

3 A. No, ma'am.

4 Q. Why not?

5 A. Fear.

6 Q. Fear?

7 A. Yes, ma'am.

8 Q. Had you ever been arrested prior to this incident?

9 A. No, ma'am.

10 Q. Did you know what to expect with working with law
11 enforcement?

12 A. No, ma'am.

13 Q. Okay. Now, you did get an attorney eventually?

14 A. Yes, ma'am.

15 Q. And while Mr. Tischler was representing you were you
16 then later approached to talk to the federal government?

17 A. Yes, ma'am.

18 Q. And eventually, again, you did agree to cooperate with
19 federal law enforcement; is that correct?

20 A. Yes, ma'am. Yes, ma'am.

21 Q. Why did you agree to cooperate with the federal
22 government?

23 A. Because at the time I had a child on the way and, you
24 know, with that being said, you know, I was concerned about, you
25 know, having a daughter and being a statistic of a father in

1 jail while the daughter is out. And I didn't want to be a part
2 of that so I tried to do my efforts to be out for my daughter.

3 MS. GOO: Court's brief indulgence.

4 Your Honor, I have no further questions.

5 THE COURT: Thank you very much, Ms. Goo.

6 Cross-examination, Mr. Guillaume?

7 MR. GUILLAUME: Thank you, Your Honor.

8 CROSS-EXAMINATION

9 BY MR. GUILLAUME:

10 Q. Good afternoon, sir. I just have a few questions for
11 you.

12 A. Good afternoon.

13 Q. You testified that your involvement with these package
14 pickups began on, like, New Year's Day, January 2019; is that
15 right?

16 A. That's when I caught a flight, yes.

17 Q. And you stayed in Baltimore for three weeks?

18 A. Yes, ma'am. Yes, sir.

19 Q. Did you ever travel anywhere in your time in
20 Baltimore?

21 A. Yes.

22 Q. Did you travel to North Carolina? Do you remember
23 that trip?

24 A. Yes.

25 Q. That was a trip that you took with David; is that

1 right?

2 A. I believe so.

3 Q. All right. And you did that trip at the request of
4 Jay, right?

5 A. Yes.

6 Q. Okay. And that was to pick up a dog for Jay, right, a
7 Pitbull?

8 A. Yes, sir.

9 Q. And you got paid for that trip from Jay, right?

10 A. Actually, no.

11 Q. You didn't get paid?

12 A. No.

13 Q. You were supposed to get paid?

14 A. Yes.

15 Q. He didn't pay you.

16 Now, you were arrested in Florida in February of 2019.
17 So like about a month later; is that right?

18 A. Yes, ma'am. Yes, sir.

19 Q. So when you were in Florida you arrived back to
20 Florida at the end of January; is that right?

21 A. Yes, sir.

22 Q. And you ceased at that point for -- at least for a few
23 days --

24 A. Yes, sir.

25 Q. -- working in the package pickups?

1 A. Yes, sir.

2 Q. And you were arrested around February 9th,
3 thereabouts, 2019, right?

4 A. Yes, sir.

5 Q. So you basically were back for about -- my math isn't
6 great, but it was under two weeks, right?

7 A. About a week.

8 Q. Back in Florida about a week before you got arrested.

9 A. Yes, sir.

10 Q. When you were in Florida did you ever try to recruit
11 anyone else to try to join you in the package operation?

12 A. No, sir.

13 Q. Okay. Are you sure about that? It's a yes or no.
14 It's not a trick question, I just want to make sure you're sure.

15 A. Yeah, I think I did. I did.

16 Q. You said you did?

17 A. Yeah.

18 Q. Who did you recruit?

19 A. An associate.

20 Q. What's that associate's name? What's the person's
21 name?

22 A. Aaron.

23 Q. Is it Aaron St. Juste?

24 A. Yeah.

25 Q. You recruited him to work in the package operation,

1 right?

2 A. Yes, sir.

3 Q. And you, in fact, worked with him, right? Taught him
4 how to do it in that week you were back?

5 A. Yes, sir.

6 Q. Okay. And you picked up at least three or four
7 packages, right?

8 A. About less than three, yeah.

9 Q. Okay. And Jay paid you each time, right?

10 A. Yes, sir.

11 Q. Okay. And when you were in Maryland you testified
12 that you got money left in random locations, like alleyways and
13 things like that, right?

14 A. Yes, sir.

15 Q. So do you know who put that money there?

16 A. No, sir.

17 Q. But Jay told you where to find it?

18 A. Wickr paid me.

19 Q. So the Wickr handle Pei Mee?

20 A. Yeah.

21 Q. Did you know that was Jay's Wickr handle?

22 A. No.

23 Q. That Wickr handle told you where to find the money?

24 A. Yeah.

25 Q. And when you found this money in Maryland,

1 approximately how many times did that happen? Did you receive
2 monies in that fashion?

3 A. Once a week.

4 Q. So you were here for three or four weeks, or let's say
5 about three and a half weeks, I guess. You leave on the 27th.

6 A. Uh-huh.

7 Q. You came out -- so that's -- that'll be approximately
8 -- one brief second, sir. I'll ask you the question when I look
9 it up.

10 So you would have been here about four -- just at the
11 four week mark. Just about four weeks in Maryland, from the 1st
12 to the 27th of 2019.

13 A. Yeah, about three weeks, yeah.

14 Q. And you got paid every time.

15 A. Once a week.

16 Q. Always in a different location?

17 A. Yes, sir.

18 Q. And you weren't familiar. You'd never been here
19 before, right?

20 A. No, sir.

21 Q. So how did you find where money was?

22 A. Nearby address, descriptions.

23 Q. And this all came on the Pei Mee handle?

24 A. Yes, sir.

25 Q. But you -- had you ever used wickr before?

1 A. No, sir.

2 Q. But you know that in Wickr, correct me if I'm wrong,
3 the messages aren't saved for very long; is that right?

4 A. Yes, sir.

5 Q. So would you take screenshots of it or would you write
6 it down? How would you remember those addresses?

7 A. Probably screenshot or probably just go straight there
8 from that.

9 Q. And for the people on the jury who don't know what a
10 screenshot is, what's a screenshot?

11 A. A photo.

12 Q. How do you take that photo?

13 A. With your phone.

14 Q. Do you take that photo on your phone, and then you
15 click your phone and it saves to your -- you take a picture of
16 what's on your screen on the phone and it saves it to the phone.

17 A. Yes, sir.

18 Q. That's what you understand the screenshot to be?

19 A. Yes, sir.

20 Q. And that's what you did with addresses, particularly
21 when you wanted to get paid?

22 A. Yes, sir.

23 Q. So Jay never gave you money directly in Maryland, but
24 he gave you money in Florida, right?

25 A. Yes, sir.

1 Q. And you never opened any packages in Maryland,
2 correct?

3 A. Yes, sir.

4 Q. Or at any time actually. You never opened packages in
5 Florida either, right?

6 A. Yes, sir.

7 Q. And the packages that you received in Florida and in
8 Maryland were of varying sizes, correct?

9 A. Yes, sir.

10 Q. Some were big, some were small, some were heavy, some
11 were lighter?

12 A. Yes, sir.

13 Q. And there was a rule that all of the persons working
14 had to follow which was do not open the packages, right?

15 A. Yes, sir.

16 Q. And you followed that rule, correct?

17 A. Yes, sir.

18 Q. Now, isn't it true that if -- well, I ask you this
19 question first. When you -- you've already testified that there
20 were a number of other people working with you, including my
21 client. You said my client, you said David, Keion. There were
22 other people that were working that you didn't know their names;
23 other workers, correct?

24 A. Yes, sir.

25 Q. And isn't it true that there was a rule that if

1 someone messed up a package pickup that no one got paid? Do you
2 remember that rule?

3 A. Yes, sir.

4 Q. And that was Jay's rule, right?

5 A. Yes, sir.

6 Q. And so therefore you all would coordinate with each
7 other to make sure that nobody made any mistakes, right?

8 A. Yes, sir.

9 Q. Now, I want to talk to you about your -- the case that
10 you just talked about a moment ago from Florida, that was a case
11 where you said you weren't involved in the planning of that, but
12 you just happened to get out of the car because other people
13 were sleeping in the car?

14 A. Yes, sir.

15 Q. Okay. And at that -- you were arrested pretty much
16 immediately, right?

17 A. Yes, sir.

18 Q. Do you remember that there was a lot of media coverage
19 as a result of that arrest? Do you remember that?

20 A. Yes, sir.

21 Q. Do you remember seeing it on the news or on a
22 newspaper article about the arrest?

23 A. Yes, sir.

24 Q. Do you remember learning, after looking at that news
25 or newspaper articles, this was an alleged elderly or granny

1 scheme? That was the term the news used, right?

2 A. Yes, sir.

3 Q. And that was the first time you'd ever heard that,
4 right?

5 A. Yes, sir.

6 Q. And you stopped -- once you were arrested in Florida
7 that you stopped altogether with the package --

8 A. Yes, sir.

9 Q. -- stuff, correct?

10 A. Yes, sir.

11 Q. You eventually pled guilty in Florida?

12 A. Yes, sir.

13 Q. And you were set to testify that you've already
14 received your sentence. You got a probation sentence, right?

15 A. Yes, sir.

16 Q. So you don't have to worry about Florida, the Florida
17 state case anymore; is that correct?

18 A. Yes, sir.

19 Q. Now you've never been charged here in the Federal
20 District Court of Maryland; is that correct?

21 A. Yes, sir.

22 Q. But you did give testimony before in the grand jury,
23 right?

24 A. Yes, sir.

25 Q. And that was pursuant to your cooperation with the

1 federal government; is that correct?

2 A. Yes, sir.

3 Q. And you -- Ms. Goo kind of reviewed a little bit with
4 you, but just to reiterate some important facts. You were -- in
5 other words, when you testified in front of the grand jury you
6 had to admit to crimes that you committed, right?

7 A. Yes, sir.

8 Q. But your agreement that you worked out with your
9 attorney specifies that you won't be charged in federal court as
10 a result of your testimony in front of the grand jury, right?

11 A. Yes, sir.

12 Q. So all you've got to do is be honest and you don't
13 have any more problems with this whole thing; is that right?

14 A. Yes, sir.

15 Q. Now at some point the federal government approached
16 you before that to give that testimony, right?

17 A. Yes, sir.

18 Q. Through your lawyer, of course.

19 A. Yes, sir.

20 Q. Your lawyer notified you that, hey, we have an
21 opportunity to testify or to cooperate with the government,
22 however it was phrased, and you took advantage of that, right?

23 A. Yes, sir.

24 Q. Because, obviously, you don't want to have to go to
25 jail and be a statistic as you testified to; is that right?

1 A. Yes, sir.

2 Q. And at the time -- how old is your daughter, sir? How
3 old is she in 2019, around this time, how old was she?

4 A. Just being --

5 Q. A newborn?

6 A. In the womb. In the womb, sir.

7 Q. Okay. Well, congratulations on the birth of your
8 daughter.

9 A. Thank you.

10 Q. That's important.

11 I just have a few more questions I want to ask you.
12 How much were you paid per package? What was your understanding
13 of how much you agreed to be paid?

14 A. A hundred dollars per package. Well, \$200 per
15 package.

16 Q. \$200 per package?

17 A. Yes, sir.

18 Q. Were you paid 200 per package?

19 A. No.

20 Q. Were you paid the full amount, paid in full for what
21 you had done?

22 A. No.

23 Q. How much were you paid? Did it vary?

24 A. Yes.

25 Q. So just giving a rough estimate, I know it's been a

1 while, but by how much were you shorted per package?

2 A. Five hundred to a thousand.

3 Q. And so in a weekly -- a week's worth of work, your
4 take away would be 500 to a thousand dollars less than what it
5 should have been?

6 A. Yes, sir.

7 Q. And that experience was also true for other people as
8 well, correct?

9 A. Yes, sir.

10 Q. And you understood that Jay is the person who is
11 making -- who is in charge of the money, right?

12 A. Yes, sir.

13 Q. Okay.

14 MR. GUILLAUME: Court's brief indulgence.

15 THE COURT: Take your time.

16 BY MR. GUILLAUME:

17 Q. And just want to be clear that the person that you
18 know as Zo, that person was also in Maryland or just in Florida?

19 A. Florida.

20 Q. Okay. And did you come to learn that person's real
21 name?

22 A. No.

23 Q. Okay. Is Zo a nickname?

24 A. Yes.

25 Q. Is it a common nickname in the Haitian community?

1 A. Yes.

2 Q. Okay. So you're from Miami, right?

3 A. Yes.

4 Q. There's a lot of people of Haitian decent?

5 A. Yes.

6 Q. So that name would be commonplace amongst many
7 different people; is that correct?

8 A. Yes.

9 MR. GUILLAUME: I have no further questions. Thank
10 you, sir.

11 THE COURT: Thank you, Mr. Guillaume.

12 MS. GOO: Court's brief indulgence, Your Honor.

13 THE COURT: Yep.

14 MS. GOO: Your Honor, the Government has no further
15 questions.

16 THE COURT: Thank you. Thank you very much. You may
17 step down, Mr. Lambert.

18 Sir, you shouldn't discuss your testimony with anyone
19 until this trial is over in the unlikely event you are called
20 back to the witness stand. Thank you very much.

21 All right. I think we have -- the next witness is
22 Mr. Charlemagne; is that correct?

23 MS. GOO: Your Honor, may we speak briefly with you
24 about scheduling? I'm not sure if we should do this in the
25 presence of the jury.

1 THE COURT: There's no such thing as a quick break,
2 but are you ready for an afternoon break? That will be good?
3 All right.

4 Use the facilities. And we're sitting until five
5 o'clock today, so we'll take a break. I'll stay up here on the
6 bench for a minute.

7 (Jury exited the courtroom at 3:46 p.m.)

8 THE COURT: Okay. The fifth witness that had been
9 listed earlier today to be called is Mr. McArnold Charlemagne,
10 correct?

11 MS. GOO: Yes, Your Honor. He's going to be a witness
12 a little bit longer than Mr. Lambert, not as long as Mr. Green.

13 THE COURT: He'll be longer than Lambert but not as
14 long as Green?

15 MS. GOO: Yes.

16 THE COURT: Okay.

17 MS. GOO: So --

18 THE COURT: And we'll have another hour once the jury
19 comes back so...

20 MS. GOO: Okay. That's fine. We'll just -- in
21 anticipation, I was going to say, the other option, if for some
22 reason we wanted to be more conservative with it --

23 THE COURT: Let's stick with what you have. You said
24 Charlemagne, and Mr. Guillaume has relied upon that. Whatever
25 the order of witnesses is, I tend to want to keep the order in

1 fairness to defense counsel. I don't want to make any changes.
2 That's why I ask each morning who are the witnesses, what order.
3 So we're right on schedule here. We got the fifth and last
4 witness today is Mr. Charlemagne, and I think we should be able
5 to finish him by five o'clock I would think. You agree with
6 that?

7 MS. GOO: I'm not so confident. I'm not sure what
8 cross-examination is going to look like. And the only reason
9 why I'm even offering an alternate witness is because we do have
10 additional videos that I don't think would be unfair to defense
11 counsel.

12 THE COURT: Let's just get Mr. Charlemagne on and get
13 moving with it, and that's what Mr. Guillaume was planning on
14 and so we'll see. We'll see how we do. So with that, we'll
15 take, again, very quick break, get started promptly again at
16 four o'clock.

17 (Recess was taken from 3:48-4:07 p.m.)

18 THE COURT: Bring the jury in. Thank you.

19 When we finish at five o'clock and dismiss the jury
20 we'll talk about the witness list for tomorrow, including if
21 Mr. Charlemagne has to come back on the witness stand.

22 (Jury entered the courtroom at 4:08 p.m.)

23 THE COURT: Thank you all for our quick break here in
24 the afternoon. And we'll be going right up to five o'clock, but
25 at five o'clock on the dime we'll stop at five o'clock.

1 with that, you all may be seated.

2 And Ms. Goo, the next government witness?

3 MS. GOO: Yes, Your Honor. The government calls to
4 the stand McArnold Charlemagne.

5 THE COURT: All right.

6 Mr. Charlemagne, if you'll come over here to be sworn.

7 (MCARNOLD CHARLEMAGNE, duly sworn.)

8 THE CLERK: Speaking clearly into the microphone can
9 you please state your full name and spell your last name for the
10 record.

11 THE WITNESS: My name is McArnold Charlemagne.
12 Charlemagne, C-h-a-r-l-e-m-a-g-n-e.

13 THE CLERK: Thank you.

14 THE COURT: Thank you, Mr. Charlemagne. If you'll
15 keep your voice up and speak clearly into the microphone for
16 purposes of the court reporter, Ms. McPherson.

17 And Ms. Goo, you may proceed.

18 MS. GOO: Thank you, Your Honor.

19 DIRECT EXAMINATION

20 BY MS. GOO:

21 Q. Good afternoon, Mr. Charlemagne.

22 A. Good afternoon.

23 Q. Mr. Charlemagne, and again if you just keep your voice
24 up and speak slowly that would be that would help tremendously.

25 A. Yes. Yes.

1 Q. Thank you. Now, Mr. Charlemagne, where do you
2 currently live?

3 A. 2240 --

4 Q. No, no. Just the city and state that you live.

5 A. Miramar, Florida.

6 THE COURT: I beg your pardon, what did you say?

7 THE WITNESS: Miramar, Florida. The state Florida.

8 THE COURT: Okay. Thank you.

9 THE WITNESS: Yes.

10 BY MS. GOO:

11 Q. How long have you lived in Florida for?

12 A. Almost 20 years.

13 Q. Did there come a point in time in which you became
14 involved in a package scheme?

15 A. Yes.

16 Q. And as a result of your participation in that scheme,
17 were you charged federally here in the United States District
18 Court in the District of Maryland?

19 A. Yes.

20 Q. And are you represented by Mr. Paul Kramer?

21 A. Yes.

22 Q. And is -- as a part of your case did there come a
23 point in time in which you reached a plea agreement?

24 A. Yes.

25 Q. So did you plead guilty to the charges here in this

1 courthouse?

2 A. Yes, I did. Yes.

3 Q. If we could bring up Government's Exhibit 55.

4 So Mr. Charlemagne, directing your attention to the
5 screen in front of you, Government's Exhibit 55. Have you seen
6 this document before?

7 A. Yes.

8 Q. And what is it?

9 A. It's my guilty plea basically, yes.

10 Q. Okay. So if we could zoom in to paragraph 1.

11 And Mr. Charlemagne, if you could just read that first
12 paragraph.

13 A. The Defendant agrees to plead guilty to Count One of
14 the Indictment, which charge the Defendant with conspiracy to
15 commit mail fraud, in violation of 18 U.S.C. 1349.

16 Q. Okay. And you can stop there for now.

17 So Mr. Charlemagne, you pled guilty to the conspiracy
18 to commit mail fraud; is that correct?

19 A. Yes.

20 Q. If we could turn to page 9 of the document. And I'm
21 sorry, one page back please. All right. Now, on page -- and I
22 apologize, that's page 8. Do you see the signature in the
23 middle?

24 A. Yes.

25 Q. And whose signature is that?

1 A. That's my signature.

2 Q. Okay. And the signature below that is whose?

3 A. Mr. Kramer. Paul Kramer, yes.

4 Q. And so you've had an opportunity to review this
5 agreement with Mr. Kramer; is that correct?

6 A. Yes.

7 Q. Okay. And if we could go to -- I believe it's page 10
8 of this. Page 11, please. 12. Okay.

9 Now, directing your attention to page 12 of this
10 exhibit title Sealed Supplement to Plea Agreement. Have you had
11 a chance to review this sealed supplement with Mr. Kramer as
12 well?

13 A. Yes.

14 Q. And does this summarize, essentially, your cooperation
15 with the government?

16 A. Yes.

17 Q. And what is your understanding as to what you're
18 required to do pursuant to this agreement?

19 A. To tell the truth about what I've done.

20 Q. Okay.

21 A. Yes.

22 Q. And is it your understanding that you're to cooperate
23 fully with federal law enforcement in terms of telling the
24 truth?

25 A. Yes.

1 Q. Okay. Now, we've talked a bit about this agreement
2 previously, correct?

3 A. Yes.

4 Q. And in that conversation has there been any specific
5 promise made to you about a specific sentence recommendation
6 that I or Mr. Delaney is going to make at the conclusion of your
7 case?

8 A. No.

9 Q. Have you been sentenced yet in your case?

10 A. No.

11 Q. Okay. And what is your understanding as to who will
12 determine your sentence?

13 A. I guess -- I don't know if it's this judge, but the
14 judge. The judge, yeah.

15 Q. Okay. All right. And what is your understanding as
16 to what the government, so me and Mr. Delaney, what we're going
17 to do at the conclusion of your testimony?

18 A. I'm sorry?

19 Q. So once you're done testifying in this case --

20 A. Yes.

21 Q. -- what is your understanding as to what me and Mr.
22 Delaney are going to do for you?

23 A. I don't -- I mean, I guess -- I mean, I don't know. I
24 don't know basically.

25 Q. Okay. Is it your understanding that perhaps we're

1 going to share that information with the judge?

2 A. Yes.

3 Q. About what you did.

4 A. Yes. Yes.

5 Q. To detail whatever cooperation you provided.

6 A. Yes. I would hope, yes.

7 Q. All right. But again, no specific promise has been
8 made to you --

9 A. No.

10 Q. -- about what the sentence recommendation is going to
11 be, correct?

12 A. No. No.

13 Q. Now, let's talk about your involvement in that scheme.
14 How did you -- who introduced you to this package scheme?

15 A. Jay, but his name is Ulysse Medard, yes.

16 Q. Okay. And if we could show Government's Exhibit 11.
17 Do you recognize the person in Government's Exhibit
18 11?

19 A. Yes.

20 Q. Who is that?

21 A. That's Jay. That's -- yeah, Jay. Ulysse Medard, yes.

22 Q. And did you later learn that his name is -- I believe
23 you said Ulysse Medard?

24 A. Yes. Ulysse Medard, yes.

25 Q. When did you meet him?

1 A. Oh, I would say end of 2018. 2018. The year '18,
2 yes.

3 Q. 2018 or was it --

4 A. Yes.

5 Q. Was it possibly 2017? I can show you a document to
6 hopefully refresh your recollection.

7 A. Please. Please, yeah. Please. I want to say -- no,
8 end of 2017, yes. 2017, yes.

9 Q. Where did you meet him?

10 A. In Miami.

11 Q. What did he tell you about an opportunity or the
12 scheme?

13 A. We was -- to help him basically with picking up
14 packages.

15 Q. And again, the he is who?

16 A. He is the --

17 Q. Sorry. The he that you're talking about, about
18 picking up the packages, who is the he?

19 A. I'm talking as far as Jay.

20 Q. Okay.

21 A. Yes.

22 Q. So Jay was giving this -- was asking you to help him
23 in picking up packages?

24 A. Yes.

25 Q. Okay. What did he -- and where were you going to have

1 to do this?

2 A. We started in Miami.

3 Q. Okay. And what happened for the very first package in
4 Miami?

5 A. I waited, it did not come, and he paid me.

6 Q. And I'm sorry?

7 A. He paid me. Like he gave me money, yes.

8 Q. Okay. And this was Jay that paid you.

9 A. Yes, for the first one.

10 Q. So even though the package didn't arrive --

11 A. Yes.

12 Q. -- Jay gave you money.

13 A. Yes.

14 Q. How much money did Jay give you?

15 A. 100.

16 Q. Now, we're gonna get more details about the package
17 operation, but before we go there, was there a point in time in
18 which you were also involved with wire transfers?

19 A. Yes.

20 Q. Okay. And could you just talk briefly about what Jay
21 asked you to do with regard to wire transfers?

22 A. He would ask me to give him the account number and
23 basically the information from my account. And then he would
24 wire the money afterwards.

25 Q. Okay. And did you have a bank account in January of

1 2018 with TD Bank?

2 A. Yes.

3 Q. Showing you Government's Exhibit 63. And if we could
4 zoom in on the bottom portion titled Other Credits.

5 Now, Mr. Charlemagne, do you recognize Government's
6 Exhibit with 33?

7 A. Yes.

8 Q. So what is it?

9 A. It's wire incoming Stanley Collins, 38,000.

10 Q. And whose account is this?

11 A. That's mine.

12 Q. Okay. Now, at the very -- so in this portion that's
13 been -- that's larger on the screen, January 17th, again, could
14 you just read that line into the record?

15 A. The first January 17?

16 Q. Yes.

17 A. Wire incoming, Stanley Collins.

18 Q. And what was the amount?

19 A. Amount? 38,000.

20 Q. Did you know Stanley Collins?

21 A. No.

22 Q. And did this wire occur after you had given your
23 information to Jay?

24 A. Yes.

25 Q. What did you do with the funds from this wire that

1 came into your account?

2 A. I withdrew it and I give it to him.

3 Q. Did you receive anything from Jay after having done
4 this?

5 A. Yes. Yes.

6 Q. What did you receive?

7 A. I don't remember the amount, but he gave me something,
8 I would say, as part of it. I don't remember the amount but
9 yes.

10 Q. Okay. But you got something for the wire going into
11 your account?

12 A. Yes. Yes.

13 Q. Approximately how many times was your account used for
14 this purpose?

15 A. Two more times. And then I use only the friend of
16 mine to -- yes, so I would say three total.

17 Q. What if anything happened to your bank account?

18 A. Afterward, a couple days later, or even weeks, it got
19 I would say locked, frozen. It doesn't work anymore.

20 Q. So were you allowed to use your account at that point?

21 A. After that, no, I can't. It's closed.

22 Q. And just to be clear, you also provided the name of --
23 did you provide the account of another friend was it you said?

24 A. Yes.

25 Q. Okay. And how long -- or how many times did Jay use

1 your other friend's account, if you recall?

2 A. I would say one time, because it was a business
3 account. Yes.

4 Q. I'm sorry?

5 A. One time. One time. It was a business account.

6 Q. Okay. You said business account?

7 A. Yes.

8 Q. All right. Now, so you're doing the package pick up
9 the one time, and then there's the wire transfers now a couple
10 of times.

11 A. Yes.

12 Q. And how long, just in general, did you work with Jay
13 for?

14 A. Beginning of 2019.

15 Q. Through the beginning of 2019?

16 A. Yes.

17 Q. Okay. So from the end of 2017 through the beginning
18 of 2019?

19 A. I have taken a break in between, and then -- because
20 the last time was in beginning of 2019, yes.

21 Q. Okay. So would it be fair to say a little bit more
22 than a year?

23 A. Yes. Yes.

24 Q. So in the year or so that you're working with Jay, how
25 much of that was the wire transfers and how much of it was the

1 packages through the mail?

2 A. I'm --

3 Q. Let me ask a different question. Was most of the work
4 that you did with Jay the picking up the packages through the
5 mail?

6 A. Yes. Through the mail, yes.

7 Q. All right. Now, did you travel to other cities to
8 pick up packages?

9 A. Yes.

10 Q. Where did you travel to?

11 A. Traveled to Maryland, New Jersey. Yes.

12 Q. Okay.

13 A. And Washington, D.C. also. Say again?

14 Q. I'm sorry, what was that?

15 A. Washington, D.C. Yes.

16 Q. All right. Now, what was the first -- did you travel
17 with Jay?

18 A. The first time we went to D.C. We drove to D.C.

19 Q. And whose car did you take?

20 A. Jay's car.

21 Q. What kind of car was it?

22 A. It's a BMW X7 I believe.

23 Q. Okay.

24 A. It's a white one.

25 Q. So just pausing there for a second. Did Jay have more

1 than one vehicle in the different cities?

2 A. When we travel, the first time, I think the first time
3 I think he has one car the first time, yeah.

4 Q. But in the course of the time that you new him and
5 worked with him, did he have different types of vehicles?

6 A. Oh, yes. Yes. I was allowed to have -- like every
7 member, we were allowed to have one car. I remember I have one,
8 I don't know if I can say member's name, but everyone was
9 allowed to have one car, yes.

10 Q. Okay. And did Jay drive expensive cars?

11 A. Yes. Yes. He had a Benz something. I don't remember
12 which one. He had a gray Benz I believe, yes.

13 Q. And when you say Benz, are you referring to Mercedes
14 Benz?

15 A. Yes, Mercedes Benz, yes.

16 Q. Now, when you were in the D.C.-Baltimore area, how
17 much would you get for picking up a package?

18 A. From 50 to \$100.

19 Q. And where did you stay when you were in the
20 Baltimore-D.C. area that first trip?

21 A. The most of -- Motel 6 most of the time, yes.

22 Q. Okay. Showing you Government's Exhibit 137. If we
23 could go to first page 8. I direct your attention to page 8 of
24 Government Exhibit 137. Do you see the name of the customer at
25 the top?

1 A. Name you said?

2 Q. Yes. Under the -- where it says guest folio.

3 A. Oh, yes. Yes. Yes. Sorry. Yes.

4 Q. And whose name is that?

5 A. That's my name.

6 Q. Who's Andre?

7 A. That's my middle name, and Charlemagne, yes, is my
8 last name.

9 Q. What is the check-in and check-out date for this day?

10 A. April 24th check-in. Check-out April 25th.

11 Q. And who were you with when you stayed at the Motel 6
12 at this time?

13 A. I guess me, I think Egho.

14 Q. Let me ask a different question. Were you traveling
15 with Jay at this point in time?

16 A. Yes. Yes.

17 Q. Okay. All right. If we go to the page 9. Okay. And
18 were there -- so actually, if we could actually go back to page
19 8.

20 Mr. Charlemagne, do you see what the room number is?

21 If you could zoom that it in.

22 A. You mean the 437?

23 Q. Yes, so Room 437, okay. So that's for April 24th to
24 April 25th?

25 A. Yes.

1 Q. And if we go to the next page. And what is the room
2 number on page 9?

3 A. 439.

4 Q. So those are different rooms.

5 A. Yes.

6 Q. Did you reserve rooms for Jay under your name?

7 A. Not for Jay but for other people, yes.

8 Q. For other people?

9 A. Yes.

10 Q. Now, if we go to the next page. So this is page 10.
11 Again, if you can read the name into the record.

12 A. My name, Andre Charlemagne, yes.

13 Q. And what's the check-in and check-out date?

14 A. April 27 check-in, and April 28 check-out.

15 Q. And again, turning to the next page after that. And
16 again, if you could just read the room number in.

17 A. 329.

18 Q. Okay. So Mr. Charlemagne, is it again, two rooms for
19 the same date?

20 A. Yes. Yes.

21 Q. So is it fair to assume that you rented a room for
22 somebody else that was working with you?

23 A. Yes.

24 Q. Now, did there come a point in time in which you did
25 meet someone by the name of Egho or Ghost?

1 A. Yes. Egho, yes.

2 Q. And what do you recall about how you first met him?

3 A. They sent a package to his place, to his house.

4 Q. Okay.

5 A. Then he gave it to his friend and there was some money
6 missing. And then Egho went and take care of it. And then he
7 bring the money back to Jay. And then -- yes.

8 Q. Okay. So how did you learn about this whole thing
9 about the package going to Egho's house and there was money
10 missing? Who gave you that information?

11 A. Okay. Jay sat with me, I don't remember the amount
12 but there was one thousand or two thousand missing. And then
13 Egho went in, I guess -- I think -- I don't assume, but somebody
14 took the money from the package. Egho then went and get the
15 money from that somebody. And then he gave the package to us
16 and that's how Jay knows about Egho and he was selling me about
17 Egho, yes.

18 Q. And so when -- again, this information you're getting
19 about this was from Jay?

20 A. Yes. Yes. Yes.

21 Q. Did Jay tell you about anything else Egho did once he
22 discovered that money was missing from the package?

23 A. He, I would say pushed up -- he has a interaction,
24 like severe interaction with his mom. Because that's how -- I
25 believe the mom, I believe, took a part of the money. And Egho

1 has like, I would say rough up his mom to get the money and
2 bring it to Jay.

3 Q. When Jay was giving you this information about Egho,
4 how did Jay respond to the fact that Egho roughed up his own
5 mother to get the money back?

6 A. It's like he showed some kind of -- he will do
7 everything for the operation. It's like a trust thing. It's
8 like, you know what, he doesn't know us but he's willing to do
9 that for us. That's what we kind put it through to me.

10 Q. And is that when Egho started working with all of you?

11 A. Yes. I would say the following day, even the same
12 week he start working for us, yes.

13 Q. Showing you Government's Exhibit 57. Do you recognize
14 this photo?

15 A. Yes.

16 Q. And what is this a picture of?

17 A. It's a confirmation for the package.

18 Q. Now, if we could just zoom in on the receiver
19 information.

20 A. Yes.

21 Q. Now do you recognize that address?

22 A. 2645 -- yes.

23 Q. And what address is that?

24 A. That's Ego's.

25 Q. And can you zoom back out. And can you just read the

1 name of sender there?

2 A. Say again? The sender?

3 Q. Read the name of the sender.

4 A. Martha Spark.

5 Q. And now if we could pull up Exhibit 56 at the same
6 time as 57. Okay.

7 And directing your attention to name of the shipper.
8 So it's the second row, if you could read that, please.

9 A. Martha Sparks, yes.

10 Q. And could you read the tracking number from
11 Government's Exhibit 57? So that's the screenshot, or the
12 picture of phone, could you read that tracking number?

13 A. 780834240315.

14 Q. And is that the same tracking number that's listed for
15 -- in the FedEx shipping information? If you could read the
16 FedEx that's right in front of you.

17 A. Yes. 780834240315. Yes. It is, yes.

18 Q. And what is the date of the delivery? So that's going
19 to be the -- circling it right for you now.

20 A. May 7, 2018.

21 Q. Okay. And again, what is the address?

22 A. 2645 Acapulco Drive.

23 Q. And again, whose address is that?

24 A. That's Egho's address.

25 Q. So is this the package that was delivered to Egho's

1 house?

2 A. Yes.

3 Q. So after the package gets delivered to Egho's house,
4 that's, you said, when Egho started working with all of you?

5 A. The following day he starts -- we talk to him and he
6 start working with us, yes. Yes.

7 Q. Did you -- and when you first started working with
8 Egho, was it in Florida or was it somewhere else?

9 A. I can't recall. But --

10 Q. Actually --

11 A. I can't recall, but I know --

12 Q. That's fine. I'm going to direct your attention to
13 Government's Exhibit 58A. And if we could zoom in on the
14 passenger information and the flight information.

15 A. Yeah, that's mine. That's mine, my name.

16 Q. And if you could just read in the flight information.
17 So the date that this flight departed?

18 A. May 9, 2018.

19 Q. Okay. And --

20 A. Miami to --

21 Q. And it was departing from where?

22 A. From Miami to Baltimore, to BWI.

23 Q. Okay. All right. And I'm going to fast forward a
24 little bit for you. If we could pull up Exhibit 58. So this is
25 -- that was your flight up to Baltimore; is that correct?

1 A. Yes.

2 Q. And again, I'm just going to just zoom in on the
3 flight information and passenger information. First, if you
4 could read the flight information, the date that the flight
5 left.

6 A. May 15, 2018.

7 Q. And it was departing from where?

8 A. From D.C. Air, that's Reagan thing to Miami airport,
9 yes.

10 Q. And who are the passenger on this flight?

11 A. Ulysse Medard. That's Egho. Christopher, that's
12 somebody that was working with us. And the last one is me,
13 McArnold, yes.

14 Q. So were all four of you in the D.C.-Baltimore area
15 working between that period of time prior to this flight
16 leaving?

17 A. Yes. Yes.

18 Q. Where did you stay again when were you up in Baltimore
19 this time?

20 A. I'm sure it's Motel 6.

21 Q. Showing you Government's Exhibit 137, page 12, okay.
22 Again, and who is the person that's associated with this
23 specific reservation?

24 A. That's mine. Mine. Yes.

25 Q. And what's the check-in and check-out date?

1 A. May 11, 2018, and May 13, 2018.

2 Q. So what were you, Egho, Jay and Chris doing on this
3 trip?

4 A. Picking up packages.

5 Q. Do you know how many?

6 A. Total or for the week?

7 Q. Like on average per day.

8 A. Per day? Each person, depending on the amount of
9 person with a pick up, on or two packages. So that week I say
10 if I pick up ten packages and Egho would pick up ten or so, then
11 Amaya, I believe, like there's a lot of people. So I would say
12 about 30 to 40 packages that week, yes.

13 Q. So that's for everybody that's involved.

14 A. It can be more. Because there's some weeks where
15 everybody is picking up packages so it goes over a hundred, yes.

16 Q. Okay. So let me ask you this question. Who were you
17 working with on this trip in addition to Egho, Jay, and Chris?

18 A. So many names I don't remember. I know the Chris guy,
19 yes. I forgot that name.

20 Q. And you mentioned --

21 A. And Amaya.

22 Q. And who was Amaya?

23 A. I would say that's Jay's girlfriend. I mean, she's
24 like one of us in a way.

25 Q. And did you -- let me just stop with Amaya for a

1 second. Did you work more with Amaya during the time that you
2 were working with Jay?

3 A. Say again.

4 Q. Did you work a lot with Amaya during the time that you
5 were working with Jay?

6 A. Yes. Yes.

7 Q. So you got to know her very well?

8 A. Yes, I know her fairly well.

9 Q. Well, in terms of -- now let's focus on you. Again,
10 you, Egbo, and Chris and Amaya.

11 A. Yes.

12 Q. You mentioned that you guys were picking up packages.

13 A. Yes.

14 Q. Was there anything else were you doing other than
15 picking up packages?

16 A. At the end of the week, on the weekend, we would be
17 assigned to basically get addresses, location. So for the next
18 week, that's when the package would come. Would go to that
19 location.

20 Q. Could you explain a little bit what do you mean by
21 that?

22 A. Okay. So on the week -- the week we get the packages,
23 we get them. And on the weekend, I would say from Friday we
24 start picking up -- we start looking for empty location for the
25 package to be -- to get there. And also, if we know somebody at

1 that location, we would kind of, like, incentivize that, can we
2 use your location for the package to get there.

3 Q. How would you incentivize that?

4 A. Depending if it's somebody's friend, we be allowed to
5 give you some money. So let's say, Jay gave us 100, either it's
6 people living in that area, they'll give part of their money to
7 that person giving the location.

8 Q. So is the person who is scouting that address, they
9 will give a portion of their money to the person who the package
10 is being delivered to?

11 A. Yes. Yes.

12 Q. Okay. And who was scouting addresses? Was it --

13 A. Everybody. I would say everybody. Me, Egho, Amaya.
14 Like everybody. Because we need that to make more money, I
15 would say, because we have -- because Jay would take -- everyone
16 has to give us ten addresses.

17 Q. And how often would you have to give ten addresses?

18 A. He ask us for every week and every weekend. So we
19 tried to do that every weekend.

20 Q. Okay. And before we get too much further down the
21 line, I haven't asked you this question. So what are you
22 supposed to do -- how are you getting the information about the
23 packages at this point?

24 A. The screenshot you showed me, that's what Jay would
25 send to us and we have to send it. We would know the tracking

1 number and then we wait at that location basically.

2 Q. And how would he send you the photograph that we had
3 up? with the tracking information and the address.

4 A. There's an app called wickr. Like he would send it to
5 us. And also we have -- we communicate via what's App to, you
6 know, this is where you're going and things like that.

7 Q. And Mr. Charlemagne, if you could keep your voice up a
8 little bit. Thank you. Thank you.

9 A. Sorry.

10 Q. Now, when a package arrived what were you responsible
11 for doing?

12 A. I would go to the driver, show them the tracking and
13 stuff like that, pick up the package. If the package gets to
14 the location, like we incentivize before, he or she will give us
15 the package and then we get the packet and go back to Jay.

16 Q. If the package was being delivered to an address that
17 was unoccupied, so kind of like a vacant address, what would you
18 do in that situation?

19 A. I would stand in front of house. And since I have the
20 tracking I would present it to the FedEx, present it to them and
21 show them to them and they don't ask question and they gave it
22 to us.

23 Q. Once you get the package, what did you did with the
24 package?

25 A. Beginning, I get the package and then I'll go to one

1 of the location and then I'll open the package and do the money
2 on the package and then it I can confirm it with Jay basically.

3 Q. Okay. So there was a point -- did you -- how soon
4 into your work with Jay did you start opening packages?

5 A. They have a time, but I would say when he start
6 trusting me, because it's money we talking about. So he would
7 let me open the packages and then start counting them.

8 Q. How many -- was that something that happened often
9 where somebody was trusted and allowed to count the money or --

10 A. Yes. Yes.

11 Q. Who was allowed to open the money?

12 A. I was allowed. Amaya was allowed. Egho was allowed.
13 Yes. Those are the people like Jay trust. There was somebody
14 in Miami but it's like mostly when Jay's in Miami but not all
15 the time. I forgot his name, but yes.

16 Q. So when you -- in terms of the places where you were
17 running the package scheme --

18 A. Yes.

19 Q. -- could -- what cities again did you go to?

20 A. D.C. area, Maryland, because not only Baltimore, we go
21 to a lot outside Baltimore, and we also went Jersey. That's
22 what I know. I don't know when I left if they went there still.

23 Q. And also Miami?

24 A. Miami, yes. Miami.

25 Q. And just showing you Government's Exhibit 64. Were in

1 Baltimore in June of 2018, as well?

2 A. Yes. I believe so, yes. I don't see anything.

3 Q. So Government's Exhibit 64. I'm actually going to
4 start with the fourth page of that exhibit.

5 Do you see something here where it mentions a name on
6 the card?

7 A. That's my name.

8 Q. Okay. And did you pay for motel rooms for other
9 people that you were working with?

10 A. Yes. Yes.

11 Q. And showing you the guest information. What is the
12 name of the guest at the Motel 6?

13 A. That's Egho's. That's Ego's name, yes.

14 Q. And what is the check-in and check-out date?

15 A. June 1st check-in, June 2nd check-out.

16 Q. Did there come a point in which you learned that the
17 packages that you were picking up were part of a fraud scheme?

18 A. The first time I was aware of it, it's -- it was
19 actually at Egho's spot. Somebody sent the package to that --
20 the address Egho was assigned to. That lady get the package,
21 and usually the sender sometimes leave their phone number and
22 she had her phone number. That lady called the sender, and I
23 don't know what they discussed, but that lady for the location
24 of the package now, she was mad at Egho. And she was like, oh,
25 what are you are guys doing, blah --

1 MR. GUILLAUME: Objection.

2 THE COURT: Sustained.

3 MR. DELANEY: Actually, Your Honor --

4 THE COURT: Sustained.

5 BY MS. GOO:

6 Q. Mr. Charlemagne, where did you learn this information
7 from?

8 A. From Egho.

9 MS. GOO: Your Honor, may I ask to re-ask the question
10 again?

11 THE COURT: If it's in furtherance -- if the
12 discussion is in furtherance of the conspiracy, it's admissible.
13 Otherwise, in terms of statements that are not in terms of
14 furtherance of conspiracy, it's not admissible. So rephrase the
15 question, I don't know what the answer is going to be.

16 MS. GOO: Yes, Your Honor.

17 THE COURT: Exclamation as to one member of a
18 conspiracy do not amount to statements that are in furtherance
19 of the conspiracy.

20 MS. GOO: But as to intent, Your Honor, in regard to
21 the conspiracy.

22 THE COURT: Well, that's a separate matter, but it's
23 not in furtherance of the conspiracy.

24 MS. GOO: Yes, Your Honor.

25 BY MS. GOO:

1 Q. Mr. Charlemagne --

2 MS. GOO: Court's -- actually, brief indulgence.

3 THE COURT: You may rephrase the question with respect
4 to comments that were made with respect to indications of
5 knowledge, okay, but it's not in furtherance of the conspiracy.

6 MS. GOO: But, Your Honor, if it is a statement by the
7 defendant himself --

8 THE COURT: That's correct, in terms of a statement by
9 the defendant in terms of his mental state of mind you're
10 permitted to ask that question, that's correct.

11 BY MS. GOO:

12 Q. Mr. Charlemagne, what did Egho tell you?

13 A. The lady of that location was --

14 THE COURT: First, it would be helpful if you put the
15 date on this, and some time reference, Ms. Goo, if the witness
16 is able to do that. You asked when he became aware of the fraud
17 scheme. It's a fair question, the jurors would like to know
18 when did this occur. What is the date that this occurred.

19 BY MS. GOO:

20 Q. Mr. Charlemagne, do you recall, generally speaking,
21 when this occurred?

22 A. The actual date?

23 Q. Do you know the actual date?

24 A. No.

25 Q. Do you recall when, in relation to Egho's -- beginning

1 of his participation in May of 2018, when in relation to that
2 you had this conversation with him?

3 A. I don't know a date per se, but I would say --

4 Q. If you could give us some kind of general timeframe.
5 If you --

6 A. I would say between June -- June to --

7 THE COURT: June of what year, sir? June of what
8 year, please.

9 THE WITNESS: June of 2018 to September 2018 I would
10 say. Yes.

11 THE COURT: All right. You may continue.

12 MS. GOO: Thank you.

13 BY MS. GOO:

14 Q. So again, Mr. Charlemagne, as to that conversation
15 that you had with Egho, sometime in between June and September
16 of 2018, which I think we can safely call perhaps the summer of
17 2018.

18 A. Yes.

19 Q. would that be accurate?

20 A. Yes. You can say that, yes.

21 Q. would it be -- what did he tell you?

22 A. Basically the lady, she was mad at him because when
23 the lady -- okay. The lady's talk to the sender and the sender,
24 I don't know what the sender said, the sender said, but she was
25 mad as to why we were doing that and why he was kind of -- he

1 was part of that basically. She got mad at Egho. And Egho
2 explained that to me.

3 Q. Okay. Did Egho tell you how he responded to the woman
4 who had received the package?

5 A. Yes. I would paraphrase. It's more like, let it go
6 and then just get the package. Because it's like he did not
7 want to further the explanation to that, you know, to the lady
8 that -- location basically, yes.

9 Q. So that he didn't want to continue the conversation
10 further; is that fair to say?

11 A. Yeah. Yeah. Because he knows, because when he comes
12 to me, he's like oh, this is what they doing. And then we have
13 a like -- an understanding. Oh, this is how they get those
14 things, because this was a mystery for us how the money comes
15 basically. So that's how he comes to me. And I'm like oh,
16 okay. And then basically, yeah.

17 Q. So Egho comes to have this conversation with you,
18 correct?

19 A. Yes. Yes.

20 Q. And did the two of you discuss it at some length?

21 A. Yes. At that time, because when he comes, because I
22 remember we were waiting and then he comes to me and he talk to
23 me about that and I am like oh, okay. And we have a clear
24 understanding. Like that's what happened for this package, yes.

25 Q. What was the conclusion of this discussion between you

1 and Egho?

2 A. My understanding, I don't know as far as Egho, that
3 they have to convince whoever the sender is, to send the money
4 basically.

5 Q. Okay. And what were you doing? What was happening
6 with these people that were sending the money?

7 A. At that -- ma'am, I'm sorry, what do you mean?

8 Q. Okay. I'm sorry. Let me ask the question a different
9 way. What were you -- what was your understanding as to what
10 was occurring to cause the people to send the money?

11 A. Whoever convincing, like some -- they have to convince
12 the other party, the sender, to send the money. That's my
13 understanding.

14 Q. Okay. And how were they doing that, if you know?

15 A. I would say I know afterward when I'm reading about
16 it, but that's in the detail. But I knew it's like they
17 convince that other party to send them money, yes.

18 Q. Okay. So they're doing something to convince people?

19 A. Doing something to convince, yes.

20 Q. All right. Now over time --

21 THE COURT: Just so the record is clear, Ms. Goo, with
22 the earlier evidentiary ruling, that was admissible under 8033
23 in terms of the state of mind of the defendant. It was not a
24 statement in the furtherance of conspiracy under 801(d)(2)(e)
25 and it was admitted for that reason.

1 BY MS. GOO:

2 Q. Now, in terms of your involvement with the conspiracy
3 and the package scheme did you get more responsibility over
4 time?

5 A. Yes.

6 Q. Okay. And what did -- what kind of extra
7 responsibility did you get?

8 A. One of the responsibility was like basically to bring
9 the money to the other party, that I would say the caller
10 people. That's what I would say. So they would -- yes.

11 Q. And I'm sorry, I didn't understand what you said. The
12 which people?

13 A. The -- the --

14 Q. No. You can use the word that you said, I couldn't
15 hear what that word was.

16 A. I said caller, like the people that convince the other
17 party, yes.

18 Q. Caller. Okay.

19 A. So we would go ahead and get the money. On Sunday I,
20 they give me the total amount, and then I get the bag and I
21 bring it to them. And they would count it, he confirm with his
22 people and then I confirm it with Jay, and then I leave.

23 Q. Okay. So let's -- we're going to spend a little bit
24 of time talking about that. Before we get into kind of the
25 money that you had to transport.

1 A. Yes.

2 Q. You're talking about these caller people. So if you
3 were --

4 A. No caller. Caller.

5 Q. Right. The caller people, right?

6 A. Yes.

7 Q. In terms of where everybody was in terms of a
8 hierarchy of the scheme, where are the caller people in relation
9 to where you are?

10 A. Okay. I would say them; Jay, because he's like
11 responsible for everything; and then it was I at first. Then I
12 would say Amaya and then Egho came second. I would say in like
13 -- because Amaya, Egho, and I were the same level basically,
14 because we would do everything I do, Egho would do it. He would
15 open the packet, the same thing with Amaya. And then everybody
16 else. Meaning, in Baltimore the people we hired, we -- we get.
17 So they would be at the bottom, because they don't know really
18 what's inside of the package. The responsibility is pick up
19 package, bring it to us. That's it.

20 Q. So would it be fair to characterize your
21 responsibility as kind of like a manager role?

22 A. You can say that, yes.

23 Q. Okay. So again, in terms of who was in the manager
24 position, who was that over time?

25 A. I, Egho, Amaya.

1 Q. Okay. Now, when packages were picked up --

2 A. Yes.

3 Q. -- did you ever receive packages from the people that
4 were working for you?

5 A. They would bring me the package, yes.

6 Q. Okay. What did you do with the packages when you
7 received it?

8 A. I would go to the room, my room I would say. I open
9 the package; I would take a video and then I start counting the
10 money in the package. And then once I know it's the quantity
11 that was told, that was like confirmed, and I -- I would say I
12 accept it basically, and I do that for every single package,
13 yes.

14 Q. So you would count the money that was in the package.

15 A. Yes.

16 Q. And what number did you compare it to? How did you
17 get that information?

18 A. The screenshot you have earlier, we had those
19 screenshot with the amount on top basically.

20 Q. What happened if the amount that you received through
21 the message was different than what was in the package?

22 A. That's why we have recording. We video, we record the
23 package because at the beginning it happened. When I -- let's
24 say they said nine thousand, right, and I have eight thousand.
25 And I'm like, there's one thousand missing. They may think I

1 have something to do with it, so the best thing to do is we
2 record on the video when I'm opening the package. So now if
3 anything missing, they can see I did not take the money. So I
4 would count the money and tell them this is what is, and then I
5 said okay, it's confirm. If it not I said this is what it is so
6 it is missing either five hundred, one thousand, yes.

7 Q. Who did you send those videos too?

8 A. I would send it to Jay.

9 Q. Did you observe Amaya opening packages?

10 A. Yes.

11 Q. And taking the video?

12 A. Yes.

13 Q. Did you ever observe Egho opening packages?

14 A. Yes.

15 Q. And what did you see him do when he was opening?

16 A. Opening the package up, counting, confirm it, and then
17 yes, the same thing as I do, yes.

18 Q. Approximately how many times did you open the
19 packages, if you can recall?

20 A. For every single package. So for all of them.

21 Q. So do you have a ballpark figure as to how many you
22 opened?

23 A. I would say if I was responsible, like if -- I don't
24 know.

25 Q. Like -- okay.

1 A. One hundred, two hundred. It's a lot, yes. A lot of
2 packages.

3 Q. What was the average amount of money that was in a
4 package?

5 A. Some of them I would say 9,000. 8,000, 9,000.

6 Q. What is the most amount of money that you saw in a
7 package?

8 A. I opened one with 40,000.

9 Q. How many times did you see Egbo hoping a package?

10 A. Every day. All the time. Like when he was when he
11 was at the same level. Because at the beginning, no, but when
12 he was at same level yes, every day, because he's like me.

13 Q. How long -- at what point, if you recall, not
14 necessarily a specific date but a general period of time, when
15 was Egbo at the same level as you?

16 A. Pretty soon. Pretty soon. Because I can't give a
17 date or time because it's -- it's so long. But the things I
18 would say, Egbo and I we're from Miami, so we Jay's people all
19 the way, because everybody else is like outsider because they
20 are from other cities. Meaning if they're from D.C., they're
21 from D.C., or from Maryland they are from Maryland. But Amaya
22 is different because she has some kind of thing with Jay
23 basically. I don't know if you understand.

24 Q. So you don't know how many times you saw -- you don't
25 know when Egbo became a manager.

1 A. Very soon. I would say very soon.

2 Q. I think we used like the beginning of May 2018 as the
3 beginning time in which he started.

4 A. So --

5 Q. So using that as a reference point, how far into or
6 how long was he with it before he became a manager as well?

7 A. I would say June or July.

8 Q. Okay. Of what year?

9 A. 2018. 2018. Yes.

10 Q. Now, let's -- we're going to talk an a little bit
11 about Amaya. What was Amaya responsible for when were you in
12 the Baltimore and D.C. area?

13 A. Okay. Since that's her state, that's her city, she
14 knows more people than everybody else so she would -- I would
15 say, kind of -- how could I say. You know when you hire
16 somebody you can vouch for that person. You can say, okay, this
17 is -- he's good. So she would be responsible of that. She
18 would also have all the same responsibility as I, opening
19 package, do everything. Sometimes we use storage. We put our
20 name on the storage, so when we get the money -- so let's say,
21 we in this area and we don't want to go to the Motel 8, or Motel
22 9 to leave the package, we would put the money, the packages in
23 the storage. There's so much we have done, like yes. That was
24 Amaya basically yes.

25 Q. So was Amaya also in charge of directing people to

1 certain addresses?

2 A. Yes. Yes.

3 Q. Showing you Government's Exhibit 59. First focusing
4 on the participants of the conversation. Who was this a
5 communication between?

6 A. That's between Amaya and I. Amaya and I.

7 Q. Okay. If we could show the messages. And if you
8 could, just starting with the message dated July 11th, 2018, at
9 5:35 a.m. And going down just the last three messages, if we
10 could show those.

11 A. Okay.

12 Q. If you could just read the first message.

13 A. Kilo 29 White Avenue, you, as I. 3032 Aran Avenue.
14 Eggo. 2210 North Calvert Street. First one was D Lo.

15 Q. And who is this message from?

16 A. From Amaya.

17 Q. To who?

18 A. To me. To I.

19 Q. Okay. And what is this information in the --

20 A. It's the location we have to go for the packages.

21 Q. So whose D Lo?

22 A. I think it's -- I believe it's DiAngelo something. I
23 forgot his name.

24 Q. And was that somebody who was working with you here in
25 the Baltimore area?

1 A. Yes.

2 Q. So what was D Lo supposed to do a 2914 White Avenue?

3 A. To go pick up packages. That's his spot.

4 Q. And the second line, you?

5 A. That's me. I have to go to that location to pick up
6 the package in that location.

7 Q. And to the best of your knowledge, did you go and pick
8 up a package there?

9 A. Yes. If it's not coming, but yes, that's when I go
10 there. I wait for the package and I pick it up, yes.

11 Q. Okay. And the last line is for who?

12 A. Eggo. 2210 North Calvert Street. Yes.

13 Q. Okay. And again, what was your understanding as to
14 Eggo's responsibility as to that address?

15 A. To pick up packages. Yes.

16 MS. GOO: Your Honor, I have another set of texts
17 messages and a bit more to go in my outline.

18 THE COURT: It's time to stop now. It's five o'clock,
19 we're going to stop on the dime. We'll get started again -- you
20 all were on time today, great, and hopefully we don't have any
21 preliminary matters, but sometimes we have to expedite matters.

22 We'll see you all tomorrow and we'll plan to start
23 promptly at 9:30. I'll stay up here on the bench with
24 scheduling matters for counsel, and you all are excused for the
25 day.

1 And Mr. Charlemagne, you'll be coming back to the
2 witness stand tomorrow. You should not discuss your testimony
3 with anyone between now and when you come back on the witness
4 stand tomorrow. Not counsel, no one, okay. You just stay to
5 yourself. We'll see you tomorrow on the witness stand at 9:30
6 tomorrow morning.

7 THE WITNESS: 9:30. Thank you.

8 THE COURT: Thank you very much. You're excused as
9 well, sir.

10 THE WITNESS: Thank you.

11 (Witness excused.)

12 (Jury excused from the courtroom at 5:00 p.m.)

13 THE COURT: Okay. With that, in terms of scheduling
14 here -- you all may be seated for a moment, Mr. Delaney.
15 Tell me, after you finish Mr. Charlemagne, give me the order of
16 the witnesses so Mr. Guillaume knows who's coming next and in
17 what order. The order is very important. So who will be
18 witness number six, Mr. Delaney?

19 MR. DELANEY: After Mr. Charlemagne finishes
20 testimony, we expect to play the testimony of Francis Williams.

21 THE COURT: Witness number six will be?

22 MR. DELANEY: The video testimony of Francis Williams.

23 THE COURT: Hold on one second, please. Okay.

24 MR. DELANEY: Then Sooraji Paliwal.

25 THE COURT: He will be a witness appearing in court?

1 MR. DELANEY: Correct.

2 THE COURT: Witness number 7. Okay.

3 MR. DELANEY: Then Aaron St. Juste will be witness
4 number 8.

5 THE COURT: Okay.

6 MR. DELANEY: Then the video testimony of Lloyd
7 Harkey.

8 THE COURT: Hold on one second, please. And that
9 would be witness number 9, right?

10 MR. DELANEY: Uh-huh.

11 THE COURT: Okay.

12 MR. DELANEY: Then in-person testimony from Amaya
13 English.

14 THE COURT: Witness number 10.

15 MR. DELANEY: I'm sorry, I've been corrected by
16 counsel.

17 Correct, Your Honor. Before witness Amaya English we
18 will call witness Norman Shifflet.

19 THE COURT: Norman Shifflet. I see a Detective Norman
20 Shifflet from the Baltimore Police Department will be witness
21 10.

22 MR. DELANEY: That's right, Your Honor.

23 THE COURT: And then Amaya English will be witness 11.

24 MR. DELANEY: If there's time, yes.

25 THE COURT: So Mr. Guillaume is aware, and Mr.

1 Igbinedion is aware, after we finish with Mr. Charlemagne we'll
2 have the video of Francis Williams, to be followed by the
3 testimony of Sooraji Paliwal, number 7; Aaron St. Juste,
4 witness number 8; Lloyd Harkey, a video, witness number 9;
5 Detective Norman Shifflet, Baltimore Police Department, witness
6 10; and then Amaya English, witness number 11.

7 All right. Are there any other matters for me to
8 address this afternoon or to anticipate for tomorrow morning
9 according to the Government?

10 MR. DELANEY: No.

11 THE COURT: Mr. Guillaume, anything else from your
12 point of view?

13 MR. GUILLAUME: No, Your Honor.

14 THE COURT: With that, this court stands adjourned for
15 the day. Thank you very much.

16 (The proceedings adjourned at 5:03 p.m., to be
17 reconvened at 9:00 a.m., June 13, 2023.)
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1 CERTIFICATE OF OFFICIAL REPORTER

2
3 I, Kassandra L. McPherson, Registered Professional
4 Reporter, in and for the United States District Court for the
5 District of Maryland, do hereby certify, pursuant to 28 U.S.C. §
6 753, that the foregoing is a true and correct transcript of the
stenographically-reported proceedings held in the above-entitled
matter and that the transcript page format is in conformance
with the regulations of the Judicial Conference of the United
States.

7 Dated this 26th day of November 2023.

8 -S-

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11 FEDERAL OFFICIAL COURT REPORTER
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